

WEDNESDAY, JULY 3, 2002

ONE HUNDRED FIRST LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative White.

Representative White led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Cooper; illness.

Representative Rhinehart; illness.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1781: Rep(s). Curtiss as first prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Rinks was/were removed as sponsor(s) of **House Bill No. 1781**.

RECESS MOTION

On motion, the House stood in recess until 10:30 a.m.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

ROLL CALL DISPENSED WITH

On motion of Rep. Davidson, the roll call was dispensed with.

RECESS MOTION

On motion of Rep. Davidson, the House stood in recess until 1:30 p.m.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 3046: Rep(s). Curtiss as first prime sponsor(s).

House Bill No. 3046: Rep(s). Ferguson, Newton, Fraley, Overbey, Johnson and Walker as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Armstrong, L. DeBerry, Bowers, Miller and U. Jones was/were removed as sponsor(s) of **House Bill No. 3046**.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

ROLL CALL DISPENSED WITH

On motion of Rep. Davidson, the roll call was dispensed with.

BILL RECALL

Rep. Fitzhugh requested that House Bill No. 2789 be recalled from the Senate, which motion prevailed.

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RECESS MOTION

On motion of Rep. Davidson, the House stood in a brief recess.

REPORTS FROM STANDING COMMITTEES

The committees that met on **July 3, 2002**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **July 3, 2002**: House Bill(s) No(s). 2569.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

ROLL CALL DISPENSED WITH

On motion of Rep. Davidson, the roll call was dispensed with.

RECESS MOTION

On motion of Rep. Davidson, the House stood in recess until 4:30 p.m.

REPORTS FROM STANDING COMMITTEES

The committees that met on **July 3, 2002**, reported the following:

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 3046, 2308 and 2303 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **July 3, 2002**: House Bill(s) No(s). 3046, 2308 and 2303.

MESSAGE FROM THE SENATE
July 3, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3110; amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Bill No. 3110 -- Taxes - Enacts "Tax Reform Act of 2002." Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71. by *Cooper J, *Clabough. (*HB3046 by *Curtiss, *Newton, *Fraleigh, *Overbey, *Johnson, *Walker, *Ferguson)

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

ROLL CALL DISPENSED WITH

On motion of Rep. Davidson, the roll call was dispensed with.

SPECIAL ORDER

Without objection, the House took up House Bill No. 3046 as follows:

***House Bill No. 3046** -- Taxes - Enacts "Tax Reform Act of 2002." Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71. by *Curtiss, *Newton, *Fraleigh, *Overbey, *Johnson, *Walker, *Ferguson. (SB3110 by *Cooper J)

On motion, House Bill No. 3046 was made to conform with **Senate Bill No. 3110**; the Senate Bill was substituted for the House Bill.

Rep. Curtiss moved that Senate Bill No. 3110 be passed on third and final consideration.

Rep. Kisber requested that Finance, Ways and Means Amendment No. 1 be placed at the heel of the Amendments.

Rep. Curtiss moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Tidwell moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Turner (Davidson) moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Kernell requested that Amendment No. 5 be moved down two spaces.

Rep. Turner (Davidson) moved that Amendment No. 6 be withdrawn, which motion prevailed.

Rep. Brooks moved adoption of Amendment No. 7 as follows:

Amendment No. 7

AMEND Senate Bill No. 3110 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. No expenditure of public funds pursuant to this act shall be made in violation of the provisions of Title VI of the Civil Rights Act of 1964, as codified in 42 United States Code 2000(d).

On motion, Amendment No. 7 was adopted.

Rep. Kernell moved adoption of Amendment No. 5 as follows:

Amendment No. 5

AMEND Senate Bill No. 3110 By adding the following as a new section to precede the effective date section:

SECTION _____. (a) It is the intent of the general assembly that persons subject to an income tax pursuant to SB 2646 / HB 2957, as amended, of the 102nd General Assembly shall have the privilege, right and authority to choose whether to be subject to the provisions of SB 2646 / HB 2957 of the 102nd General Assembly or to pay the increase in taxes imposed by this act. A person who chooses to pay a tax on such person's income pursuant to SB 2646/ HB 2957 of the 102nd General Assembly shall receive a certificate from the department of revenue and, upon presentation of such certificate, shall be exempt from all state sales taxes upon certain foods and articles of clothing as provided in such act. In addition, upon presentation of such certificate, a person shall be exempt from all increases in taxes imposed by this act.

(b) The department of revenue shall promulgate rules and regulations pursuant to title 4, chapter 5, to effectuate the provisions of this act.

(c) Notwithstanding any provision of this act to the contrary, this section shall take effect January 1, 2003, the public welfare requiring it.

Rep. Newton moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes	62
Noes	27

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Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Boyer, Buck, Bunch, Buttry, Caldwell, Casada, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), Dunn, Ferguson, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Hagood, Hargrove, Harwell, Hood, Johnson, Jones S, Kent, Lewis, McCord, McDaniel, McDonald, McKee, Montgomery, Mumpower, Newton, Overbey, Patton, Pinion, Pleasant, Roach, Rowland, Sargent, Scroggs, Sharp, Shepard, Stanley, Tidwell, Tindell, Todd, Vincent, Walker, West, Whitson, Windle, Winningham, Wood -- 62.

Representatives voting no were: Armstrong, Bone, Bowers, Briley, Brown, Chumney, DeBerry J, DeBerry L, Fitzhugh, Givens, Hargett, Head, Jones U, Kernell, Kisber, Langster, Maddox, McMillan, Miller, Phillips, Pruitt, Ridgeway, Shaw, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson) -- 27.

Rep. Brooks moved adoption of Amendment No. 8 as follows:

Amendment No. 8

AMEND Senate Bill No. 3110 By adding the following sentence to Section 1 (f)(c):

One cent (1¢) per pack of the increased revenue resulting from the increase in tax in subsection (e) of this section of this act shall be allocated and distributed exclusively for residential care programs for the aged.

Rep. Curtiss moved that Amendment No. 8 be tabled, which motion prevailed by the following vote:

Ayes	54
Noes	35

Representatives voting aye were: Baird, Beavers, Bittle, Black, Boyer, Buck, Bunch, Buttry, Caldwell, Casada, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), Dunn, Ferguson, Ford, Fraley, Garrett, Godsey, Hagood, Hargrove, Harwell, Hood, Johnson, Kent, Lewis, McCord, McDaniel, McDonald, McKee, Montgomery, Mumpower, Newton, Overbey, Patton, Pinion, Pleasant, Roach, Rowland, Sargent, Scroggs, Sharp, Shepard, Tidwell, Todd, Vincent, Walker, Whitson, Winningham, Wood -- 54.

Representatives voting no were: Armstrong, Arriola, Bone, Bowers, Briley, Brooks, Brown, Chumney, DeBerry J, DeBerry L, Fitzhugh, Fowlkes, Givens, Head, Jones S, Jones U, Kernell, Kisber, Langster, Maddox, McMillan, Miller, Odom, Phillips, Pruitt, Rinks, Shaw, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), West, Windle, Mr. Speaker Naifeh -- 35.

Rep. Brown moved adoption of Amendment No. 9 as follows:

Amendment No. 9

AMEND Senate Bill No. 3110 by adding the following sentence to Section 1 (f)(c):

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One-half cent (1/2¢) per pack of the increased revenue resulting from the increase in tax in subsection (e) of this section of this act shall be allocated and distributed exclusively to the department of health for cancer prevention and control programs.

Rep. Curtiss moved that Amendment No. 9 be tabled, which motion prevailed by the following vote:

Ayes	47
Noes	38
Present and not voting	4

Representatives voting aye were: Baird, Bittle, Boyer, Buck, Bunch, Buttry, Caldwell, Casada, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), Dunn, Ford, Garrett, Godsey, Goins, Hagood, Hargrove, Harwell, Hood, Johnson, Kent, McCord, McDaniel, McKee, Montgomery, Mumpower, Newton, Overbey, Patton, Phillips, Pinion, Pleasant, Roach, Rowland, Scroggs, Sharp, Shepard, Todd, Vincent, Whitson, Winningham, Wood -- 47.

Representatives voting no were: Armstrong, Arriola, Bone, Bowers, Brooks, Brown, Chumney, DeBerry J, DeBerry L, Ferguson, Fitzhugh, Fowlkes, Givens, Hargett, Head, Jones S, Jones U, Kernell, Kisber, Langster, Maddox, McMillan, Miller, Odom, Pruitt, Ridgeway, Rinks, Sands, Shaw, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), West, White, Windle, Mr. Speaker Naifeh -- 38.

Representatives present and not voting were: Beavers, Black, Fraley, McDonald -- 4.

Rep. Odom moved adoption of Amendment No. 10 as follows:

Amendment No. 10

AMEND Senate Bill No. 3110 By adding the following language as a new, appropriately designated section:

SECTION ____ Tennessee Code Annotated, Section 55-6-107, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) The proceeds of the taxes levied by chapter 4 of this title shall be apportioned by a distribution of ninety-eight percent (98%) thereof to the highway fund and two percent (2%) thereof to the general fund. The funding board is authorized to allocate such portions of these funds as are required to meet the annual requirements for payment of the state debt. From the funds allocated to the highway fund, the amount of \$133,816,000 shall be transferred each fiscal year to the general fund for compensation for state employees, teachers and employees of state institutions of higher education. From the remaining distribution to the highway fund, revenue shall be allocated to the general fund in an amount sufficient to fund the cost of issuing motor vehicle registration plates, such amount to be established in the annual appropriations act.

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Rep. Montgomery moved that Amendment No. 10 be tabled, which motion prevailed by the following vote:

Ayes	62
Noes	26

Representatives voting aye were: Armstrong, Baird, Bittle, Bone, Boyer, Buck, Buttry, Caldwell, Casada, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Hagood, Hargrove, Harwell, Head, Hood, Johnson, Kent, Kisber, Lewis, Maddox, McCord, McDaniel, McKee, McMillan, Montgomery, Mumpower, Newton, Overbey, Patton, Phillips, Pleasant, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shepard, Tidwell, Tindell, Todd, Vincent, Walker, White, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 62.

Representatives voting no were: Arriola, Bowers, Brooks, Brown, Chumney, Clem, DeBerry J, DeBerry L, Dunn, Hargett, Jones S, Jones U, Kernell, Langster, Miller, Odom, Pinion, Pruitt, Ridgeway, Shaw, Stanley, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), West -- 26.

Rep. Hargett moved adoption of Amendment No. 11 as follows:

Amendment No. 11

AMEND Senate Bill No. 3110 By deleting Section 7 as amended by Senate Amendment #1 (010296).

Rep. Turner (Davidson) moved that Amendment No. 11 be tabled, which motion prevailed by the following vote:

Ayes	50
Noes	32
Present and not voting	4

Representatives voting aye were: Armstrong, Baird, Bittle, Boyer, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), Ferguson, Ford, Fraley, Garrett, Givens, Godsey, Hagood, Hargrove, Head, Hood, Kent, Kisber, McCord, McDaniel, McKee, Montgomery, Mumpower, Newton, Overbey, Patton, Phillips, Pleasant, Pruitt, Rinks, Sargent, Scroggs, Sharp, Shaw, Tindell, Towns, Turner (Davidson), Vincent, Walker, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 50.

Representatives voting no were: Arriola, Beavers, Black, Bowers, Brooks, Brown, Bunch, Casada, Chumney, Clem, DeBerry J, DeBerry L, Dunn, Fowlkes, Goins, Hargett, Jones S, Langster, Lewis, Maddox, McDonald, Odom, Pinion, Roach, Rowland, Sands, Shepard, Stanley, Tidwell, Turner (Shelby), West, White -- 32.

Representatives present and not voting were: Harwell, Johnson, Jones U, Miller -- 4.

On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 1.

Rep. Buttry moved the previous question, which motion failed by the following vote:

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Ayes55
Noes38

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Boyer, Buck, Bunch, Buttry, Caldwell, Casada, Clem, Curtiss, Davidson, Davis (Washington), Davis (Cocke), Ferguson, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Harwell, Hood, Johnson, Jones S, McCord, McDaniel, McDonald, McKee, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phillips, Pinion, Pleasant, Roach, Rowland, Sargent, Scroggs, Sharp, Stanley, Tidwell, Turner (Davidson), Vincent, Walker, West, Whitson, Windle, Winningham, Wood – 55.

Representatives voting no were: Armstrong, Bone, Bowers, Briley, Brooks, Brown, Chumney, Cole (Carter), Cole (Dyer), DeBerry J, DeBerry L, Dunn, Fitzhugh, Givens, Hagood, Hargett, Head, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McMillan, Miller, Pruitt, Ridgeway, Rinks, Sands, Shaw, Shepard, Tindell, Towns, Turner (Hamilton), Turner (Shelby), White, Mr. Speaker Naifeh – 38.

After further debate, Rep. Maddox moved the previous question, which motion prevailed.

Rep. Curtiss moved that **Senate Bill No. 3110**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes50
Noes41

Representatives voting aye were: Baird, Bittle, Boyer, Briley, Buck, Bunch, Buttry, Clem, Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), Ferguson, Ford, Fraley, Garrett, Godsey, Hagood, Hargett, Hargrove, Harwell, Hood, Johnson, Jones S, Kisber, Lewis, McCord, McDaniel, McKee, Montgomery, Mumpower, Newton, Overbey, Patton, Pleasant, Roach, Sargent, Scroggs, Sharp, Shepard, Stanley, Tidwell, Turner (Davidson), Walker, West, Whitson, Winningham, Wood, Mr. Speaker Naifeh – 50.

Representatives voting no were: Beavers, Black, Bone, Bowers, Brooks, Brown, Caldwell, Casada, Chumney, DeBerry J, DeBerry L, Dunn, Fitzhugh, Fowlkes, Givens, Goins, Head, Jones U, Kent, Kernell, Maddox, McDonald, McMillan, Miller, Odom, Phillips, Pinion, Pruitt, Ridgeway, Rinks, Rowland, Sands, Shaw, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, White, Windle -- 41.

A motion to reconsider was tabled.

Rep. Armstrong Requests to be Recorded as "No" on SB 3110.

Representative Armstrong requested that the official record reflect his desire to vote "No" on SB 3110, the electronic voting machine having shown no vote being cast on his behalf.

Rep. Phelan Requests to State Opposition to the Sales Tax Increase in SB 3110.

I wish for the official record to reflect that I oppose the sales tax increase, as passed in Senate Bill 3110. The sales tax is too high and this additional permanent increase would be unfair for many Tennesseans.

Paul Phelan

RECESS MOTION

On motion, the House stood in a brief recess.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

ROLL CALL DISPENSED WITH

On motion of Rep. Davidson, the roll call was dispensed with.

SPECIAL ORDER

Without objection, the House took up House Bill(s) No(s). 2308 and 2303 as follows:

House Bill No. 2308 -- Appropriations - Makes appropriations for operation of state government for fiscal year 2002-2003. by *Kisber. (*SB2344 by *Henry, *Kyle)

Rep. Kisber moved that House Bill No. 2308 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2308 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. That appropriations hereinafter set out are hereby made for the purpose of defraying the expenses of state government for the fiscal year beginning July 1, 2002, in the administration, operation and maintenance of the legislative, executive and judicial branches of the various departments, institutions, offices and agencies of the state, and for certain state aid and obligations and for capital outlay; for the service of the public debt, and for emergency and contingency, all according to the following schedule:

I. LEGISLATIVE

2002-2003

1.	General Assembly Support Services	\$5,778,800.00
2.	General Assembly Committees	570,200.00
3.	House of Representatives	11,156,300.00
4.	State Senate	5,826,800.00
5.	Legislative Administration Services	4,447,800.00
6.	Tennessee Code Commission	69,600.00
7.	Fiscal Review Committee	762,300.00
Total Title I		\$28,611,800.00

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1.	Appellate and Trial Courts	\$41,303,900.00
2.	Supreme Court Buildings	1,829,200.00
3.	Child Support Referees	356,300.00
4.	Guardian ad Litem	827,700.00
5.	Indigent Defendants' Counsel	12,893,400.00
6.	Civil Legal Representation	1,677,500.00
7.	Verbatim Transcripts	3,604,000.00
8.	Tennessee State Law Libraries	516,400.00
9.	Judicial Programs and Commissions	435,800.00
10.	State Court Clerks' Conference	171,400.00
11.	Administrative Office of the Courts	11,291,100.00
12.	Appellate Court Clerks	261,300.00
13.	Board of Law Examiners	571,200.00

Total Title II \$75,739,200.00

III. EXECUTIVE

1.	Constitutional and Quasi-Judicial Offices	
1.	Attorney General and Reporter	
1.1	Attorney General and Reporter	\$14,157,700.00
1.2	Publication of Tennessee Reports	186,300.00
1.3	Special Litigation	188,100.00
	Total Attorney General and Reporter	\$14,532,100.00
2.	District Attorneys General	
2.1	District Attorneys General	\$43,209,500.00
2.2	District Attorneys General Conference	208,600.00
2.3	Executive Director	1,049,800.00
	Total District Attorneys General	\$44,467,900.00
3.	Department of State	
3.1	Secretary of State	\$ 7,698,900.00
3.2	State Election Commission	2,318,300.00
3.3	Public Documents	892,300.00
3.4	Library and Archives	6,453,200.00
3.5	Regional Libraries	6,753,500.00
3.6	Registry of Election Finance	317,100.00
3.7	Economic Council on Women	92,300.00
	Total Department of State	\$24,525,600.00
4.	Public Defenders	
4.1	District Public Defenders	\$21,084,700.00
4.2	Executive Director	664,000.00
4.3	Shelby County Public Defender	2,730,400.00
4.4	Davidson County Public Defender	1,344,200.00
	Total Public Defenders	\$25,823,300.00

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5.	Comptroller of the Treasury	
5.1	Division of Administration	\$619,600.00
5.2	Office of Management Services	5,595,300.00
5.3	Division of State Audit	7,870,200.00
5.4	Division of County Audit	5,619,600.00
5.5	Division of Municipal Audit	1,216,000.00
5.6	Division of Bond Finance	310,200.00
5.7	Office of Local Government	289,000.00
5.8	Division of Property Assessments	7,455,200.00
5.9	Tax Relief	10,000,000.00
5.10	State Board of Equalization	3,080,400.00
5.11	Division of Local Finance	332,800.00
5.12	Offices of Research and Education Accountability	
		1,308,000.00
5.13	Office of State Assessed Properties	811,800.00
	Total Comptroller of the Treasury	\$44,508,100.00
6.	Office of the Post-Conviction Defender	
6.1	Office of the Post-Conviction Defender	\$ 827,700.00
	Total Office of the Post-Conviction Defender	\$ 827,700.00
7.	Treasury Department	
7.1	Treasurer's Office	\$ 515,500.00
7.2	Certified Public Administrators	60,200.00
	Total Treasury Department	\$ 575,700.00
8.	Claims and Compensation	
8.1	Criminal Injuries Compensation	\$ 8,245,300.00
	Total Claims and Compensation	\$ 8,245,300.00
	Total Title III-1	\$163,505,700.00

The appropriation made under Title III-1, Item 8 may be increased or decreased as realized receipts of the Criminal Injuries Compensation Fund justify, subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51. To the extent that receipts of the fund are insufficient to meet the fund's expenditure requirements, there is hereby appropriated a sum sufficient to the support such expenditures.

2. Executive Offices

1.	Governor's Office	
1.1	Governor's Office	\$ 3,607,300.00
1.2	Intergovernmental Conferences & Special Operations	
		364,600.00
1.3	Gubernatorial Transition Office	250,000.00
	Total Governor's Office	\$ 4,221,900.00

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2.	Commissions	
2.1	Commission on Children and Youth	\$ 1,634,800.00
2.2	Commission on Aging and Disability	11,970,600.00
2.3	Alcoholic Beverage Commission	2,016,300.00
2.4	Human Rights Commission	1,426,100.00
2.5	Health Facilities Commission	630,400.00
2.6	Corrections Institute	639,900.00
2.7	Council of Juvenile and Family Court Judges	403,500.00
2.8	Tennessee Regulatory Authority	\$ 7,413,500.00
2.9	Advisory Commission on Intergovernmental Relations	470,900.00
2.10	Arts Commission	4,332,100.00
2.11	State Museum	2,448,900.00
	Total Commissions	\$33,387,000.00
3.	Department of Finance and Administration	
3.1	Division of Administration	\$1,807,900.00
3.2	Division of Budget	2,071,600.00
3.3	Office of Information Resources	5,000,000.00
3.4	Criminal Justice Programs	1,776,500.00
3.5	Resource Development and Support	922,900.00
3.6	Capital Projects and Real Property Management	2,537,900.00
3.7	National and Community Service	206,500.00
	Total Department of Finance and Administration	\$14,323,300.00
4.	Department of Personnel	
4.1	Executive Administration	\$1,931,500.00
4.2	Human Resource Development	718,600.00
4.3	Technical Services	1,884,800.00
	Total Department of Personnel	\$ 4,534,900.00
5.	Department of General Services	
5.1	Administration	\$ 520,700.00
5.2	Motor Vehicle Management	4,250,000.00
5.3	Property Management	1,455,500.00
5.4	Printing	200,000.00
5.5	Purchasing	22,000.00
	Total Department of General Services	\$ 6,448,200.00
6.	Department of Veterans Affairs	\$ 2,749,200.00
	Total Title III-2	\$65,664,500.00

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3. Department of Agriculture

1.	Administration and Grants	\$ 8,645,600.00
2.	Regulatory Services	10,501,800.00
3.	Market Development	2,420,700.00
4.	Agricultural Resources Conservation Fund	2,905,000.00
5.	Forestry	17,163,700.00
6.	Forestry Maintenance	158,500.00
7.	Certified Cotton Growers' Organization Fund	
		15,435,000.00
8.	Agricultural Regulatory Fund	1,739,000.00

Total Title III-3 \$58,969,300.00

4. Department of Tourist Development

1.	Administration and Marketing	\$8,198,800.00
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Total Title III-4 \$ 8,198,800.00

5. Department of Environment and Conservation

1.	Administrative Services	\$ 5,554,200.00
2.	Conservation Administration	573,900.00
3.	Historical Commission	1,335,400.00
4.	Archaeology	479,800.00
5.	Geology	1,279,500.00
6.	State Parks	26,099,600.00
7.	Natural Heritage	806,700.00
8.	Tennessee State Parks Maintenance	6,581,800.00
9.	Maintenance of Historic Sites	200,000.00
10.	Local Parks Acquisition Fund	3,000,000.00
11.	State Lands Acquisition Fund	4,000,000.00
12.	West Tennessee River Basin Authority	735,300.00
13.	Environment Administration	1,543,900.00
14.	Used Oil Collection Program	1,259,600.00
15.	Dry Cleaners Environmental Response Fund	
		2,384,200.00
16.	Air Pollution Control	1,516,200.00
17.	Radiological Health	373,600.00
18.	Water Pollution Control	4,991,300.00
19.	Solid Waste Management	1,943,900.00
20.	Abandoned Lands	500,000.00
21.	Hazardous Waste Remedial Action Fund	1,052,000.00
22.	Water Supply	604,200.00
23.	Groundwater Protection	3,198,700.00
24.	Underground Storage Tanks	17,216,200.00
25.	Solid Waste Assistance Fund	9,147,900.00
26.	Environmental Protection Fund	32,144,100.00
27.	Community Assistance	7,355,200.00

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28.	West Tennessee River Basin Authority Maintenance	500,000.00
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Total Title III-5	\$136,377,200.00
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6. Wildlife Resources Agency

1.	Wildlife Resources Agency	\$29,263,900.00
2.	Boating Safety	5,228,300.00
3.	Wetlands Acquisition Fund	6,000,000.00
4.	Wetlands Compensation Fund	200,000.00

Total Title III-6	\$40,692,200.00
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The appropriation made under Title III-6 may be increased or decreased as realized receipts of the Wildlife Resources Fund justify, subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

7. Department of Correction

1.	Administration	\$ 10,621,300.00
2.	State Prosecutions	\$113,399,000.00
3.	Correction Academy	\$ 3,881,800.00
4.	Wayne County Boot Camp	\$ 7,935,600.00
5.	Brushy Mountain Correctional Complex	\$ 29,966,000.00
6.	Tennessee Prison for Women	\$ 15,318,900.00
7.	Turney Center Industrial Prison and Farm	\$ 18,869,700.00
8.	Mark Luttrell Correctional Facility	\$ 10,647,700.00
9.	Middle Tennessee Correctional Complex	\$ 21,765,700.00
10.	Southeastern Tennessee State Regional Correctional Facility	\$ 16,738,100.00
11.	Major Maintenance	\$ 3,417,400.00
12.	West Tennessee State Penitentiary	39,246,100.00
13.	Riverbend Maximum Security Institution	18,368,800.00
14.	Northeast Correctional Complex	26,774,700.00
15.	South Central Correctional Center	23,265,100.00
16.	Northwest Correctional Complex	33,515,500.00
17.	Lois M. DeBerry Special Needs Facility	30,150,900.00
18.	Hardeman County Incarceration Agreement	31,367,900.00
19.	Sentencing Act of 1985	22,487,500.00
20.	Sex Offender Treatment Program	75,000.00

Total Title III-7	\$477,812,700.00
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8. Department of Economic and Community Development

1.	Administrative Services	\$4,548,300.00
2.	Industrial Development	4,997,400.00
3.	Business Services	1,716,600.00
4.	Tennessee Industrial Infrastructure Program (TIIP)	18,074,300.00
5.	Community Development	2,800,400.00

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6.	Energy Division	40,000.00
7.	Industrial Training Service	2,341,200.00
8.	Regional Grants Management	1,821,900.00
9.	Small and Minority-Owned Telecommunications	80,100.00
10.	Job Skills Fund	17,222,200.00
	Total Title III-8	\$53,642,400.00
9.	Department of Education	
1.	Administrative Services	
1.1	Administration	\$ 7,429,900.00
1.2	State Board of Education	634,100.00
	Total Administrative Services	\$ 8,064,000.00
2.	Kindergarten, Elementary and Secondary	
2.1	State Programs	
a.	Curriculum and Instruction	\$ 2,997,600.00
b.	Career Ladder	94,000,000.00
c.	BEP and Other LEA Support	2,555,691,300.00
d.	Driver Education	1,700,000.00
e.	Training and Professional Development	12,330,400.00
f.	Grants-In-Aid	4,188,600.00
g.	Technology, Infrastructure, and Support Systems	2,680,300.00
h.	Accountability	16,290,600.00
	Subtotal State Programs	\$2,689,878,800.00
2.2	Federally Funded and Supported Programs	
a.	Improving School Programs	\$49,495,500.00
b.	School Nutrition Programs	4,996,700.00
c.	Special Education Services	1,005,400.00
d.	Tennessee Infant-Parent Services School	13,324,000.00
	Subtotal Federally Funded and Supported Programs	\$68,821,600.00
	Total Kindergarten, Elementary and Secondary	\$2,758,700,400.00
3.	Vocational Education	
3.1	Vocational Education Programs	\$ 3,797,700.00
	Total Vocational Education	\$ 3,797,700.00
4.	Special Schools	
4.1	Alvin C. York Institute	\$ 3,590,500.00
4.2	Tennessee School for the Blind	8,096,300.00
4.3	Tennessee School for the Deaf	10,966,000.00
4.4	West Tennessee School for the Deaf	1,732,000.00
4.5	Major Maintenance	\$ 239,100.00
	Total Special Schools	\$24,623,900.00

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Total Title III-9		\$2,795,186,000.00
10. Higher Education		
1.	Administration and Support Services	
1.1	Tennessee Higher Education Commission	\$2,041,500.00
1.2	Contract Education	2,535,100.00
1.3	Tennessee Student Assistance Awards	52,811,400.00
1.4	Tennessee Student Assistance Corporation	1,323,400.00
1.5	Loan/Scholarship Programs	1,191,000.00
1.6	Foreign Language Institute	301,600.00
1.7	THEC Grants	3,053,700.00
	Total Administration and Support Services.	\$63,257,700.00
2.	Excellence Initiatives	
2.1	Academic Scholars Programs	\$ 251,800.00
2.2	Centers of Excellence	19,636,400.00
2.3	Campus Centers of Emphasis	1,408,200.00
	Total Excellence Initiatives	\$21,296,400.00
3.	University of Tennessee System	
3.1	Administrative and Other Services	
a.	U.T. University-Wide Administration	\$2,840,800.00
b.	U.T. Institute for Public Service	5,154,100.00
c.	U.T. Municipal Technical Advisory Service	1,539,700.00
d.	U.T. County Technical Assistance Service	1,164,200.00
e.	U.T. Space Institute	7,884,700.00
	Subtotal Administrative and Other Services	\$18,583,500.00
3.2	Agricultural Services	
a.	U.T. Agricultural Experiment Stations	\$22,204,300.00
b.	U.T. Agricultural Extension Service	25,565,100.00
c.	U.T. Veterinary Medicine	13,957,100.00
	Subtotal Agricultural Services	\$61,726,500.00
3.3	Medical Education	
a.	U.T. Memphis	\$58,814,600.00
b.	U.T. Family Medicine	6,380,700.00
c.	U.T. College of Medicine	44,242,500.00
	Subtotal Medical Education	\$109,437,800.00
3.4	University Campuses	
a.	U.T. Chattanooga	\$ 38,890,800.00
b.	U.T. Knoxville	162,301,200.00
c.	U.T. Martin	27,652,500.00
	Subtotal University Campuses	\$228,844,500.00
3.5	Research Initiatives – U.T. System	\$ 7,500,000.00
	Total University of Tennessee System	\$426,092,300.00

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4.	Tennessee Board of Regents System	
4.1	Administration	
	a. Tennessee Board of Regents	\$ 3,850,100.00
	Subtotal Administration	\$ 3,850,100.00
4.2	Medical Education	
	a. East Tennessee State University - College of Medicine	\$25,043,000.00
	b. East Tennessee State University - Family Practice	
4,275,600.00	Subtotal Medical Education	\$29,318,600.00
4.3	Regional Universities	
	a. Austin Peay State University	\$30,485,800.00
	b. East Tennessee State University	\$52,368,600.00
	c. University of Memphis	104,263,200.00
	d. Middle Tennessee State University	83,423,800.00
	e. Tennessee State University	37,060,600.00
	f. Tennessee Technological University	41,780,100.00
	Subtotal Regional Universities	\$349,382,100.00
4.4	Community Colleges and Technical Institutes	
	a. Southwest Tennessee Community College	\$35,294,500.00
	b. Nashville State Technical Institute	13,170,300.00
	c. Pellissippi State Technical Community College	18,415,900.00
	d. Northeast State Technical Community College	10,696,200.00
	e. Chattanooga State Technical Community College	21,240,100.00
	f. Cleveland State Community College	9,292,600.00
	g. Columbia State Community College	11,605,400.00
	h. Dyersburg State Community College	6,143,200.00
	i. Jackson State Community College	10,881,200.00
	j. Motlow State Community College	9,011,300.00
	k. Roane State Community College	16,122,700.00
	l. Volunteer State Community College	15,821,900.00
	m. Walters State Community College	16,032,400.00
	Subtotal Community Colleges and Technical Institutes	\$193,727,700.00
4.5	Technology Centers	
	a. Tennessee Technology Centers	\$45,373,400.00
	Subtotal Technology Centers	\$45,373,400.00
4.6	Agricultural Center	
	a. TSU McMinnville Center	\$600,000.00
	Subtotal Agricultural Center	\$600,000.00

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4.7	Research Initiatives – Regents System	\$ 5,000,000.00
	Total Tennessee Board of Regents System	\$627,251,900.00
5.	Higher Education System-Wide Programs	
5.1	Higher Education System-Wide Improvements	
		\$63,350,000.00
5.2	Geier Desegregation Settlement	16,765,000.00
	Total Higher Education System-Wide Programs	\$80,115,000.00
	Total Title III-10	\$1,218,013,300.00
11.	Department of Commerce and Insurance	
1.	Insurance	\$3,839,400.00
2.	Consumer Affairs	718,100.00
3.	Fire Fighting Personnel Standards and Education	2,510,700.00
4.	911 Emergency Communications Fund	12,788,900.00
5.	Regulatory Boards	13,740,500.00
5.1	Real Estate Education and Recovery Fund	275,500.00
5.2	Auctioneer Education and Recovery Fund	88,300.00
6.	Fire and Codes Enforcement Academy	4,749,600.00
	Total Title III-11	\$38,711,000.00
12.	Department of Financial Institutions	\$5,308,800.00
	Total Title III-12	\$5,308,800.00

The appropriation made under Title III-12 may be increased or decreased as realized receipts justify, subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

13.	Department of Labor and Workforce Development	
1.	Administration	\$3,272,900.00
2.	Tennessee Occupational Safety and Health Administration (TOSHA)	3,804,100.00
3.	Workers' Compensation	6,327,700.00
4.	Mines	349,100.00
5.	Labor Standards	965,200.00
6.	Second Injury Fund	5,195,900.00
7.	Adult Basic Education	3,171,100.00
8.	Employment Development	300,000.00
9.	Uninsured Employers Fund	244,000.00
	Total Title III-13	\$23,630,000.00

WEDNESDAY, JULY 3, 2002 – ONE HUNDRED FIRST LEGISLATIVE DAY**14. Department of Mental Health and Developmental Disabilities**

1.	Administration	
1.1	Administrative Services Division	\$7,539,100.00
	Total Administration	\$7,539,100.00
2.	Mental Health Services	
2.1	Mental Health Services Administration	\$2,142,600.00
2.2	Lakeshore Mental Health Institute	9,062,800.00
2.3	Middle Tennessee Mental Health Institute	9,690,000.00
2.4	Western Mental Health Institute	10,881,900.00
2.5	Moccasin Bend Mental Health Institute	6,887,500.00
2.6	Memphis Mental Health Institute	8,951,000.00
2.7	Community Mental Health Services	43,159,200.00
2.8	Major Maintenance	750,000.00
	Total Mental Health Services	\$91,525,000.00
	Total Title III-14	\$99,064,100.00

15. Department of Military

1.	Administration	\$2,109,400.00
2.	Army National Guard	975,400.00
3.	Air National Guard	1,514,900.00
4.	Tennessee Emergency Management Agency	1,587,700.00
5.	Armories Major Maintenance	1,236,700.00
6.	Armories Utilities	1,874,800.00
	Total Title III-15	\$9,298,900.00

16. Department of Health

1.	Administration	
1.1	Executive Administration	\$3,292,600.00
1.2	Administrative Services	2,359,700.00
1.3	Division of Technology	3,366,200.00
1.4	Policy Planning and Assessment	4,698,300.00
	Total Administration	\$13,716,800.00
2.	Manpower Resources and Facilities	
2.1	Health Licensure and Regulation	\$3,961,200.00
2.2	Emergency Medical Services	577,600.00
2.3	Laboratory Services	7,766,900.00
2.4	Health Related Boards	8,907,900.00
	Total Manpower Resources and Facilities	\$21,213,600.00

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3.	Community Health Services	
3.1	Health Services Administration	\$3,424,700.00
3.2	General Environmental Health	8,110,500.00
3.3	Maternal and Child Health	2,901,700.00
3.4	Communicable and Environmental Disease Services	4,818,500.00
3.5	Population-Based Services	9,149,900.00
	Total Community Health Services	\$28,405,300.00
4.	Local Health	
4.1	Local Health Services	\$22,079,100.00
	Total Local Health	\$22,079,100.00
5.	Alcohol and Drug Abuse Services	
5.1	Alcohol and Drug Abuse Services	\$11,889,800.00
	Total Alcohol and Drug Abuse Services	\$11,889,800.00
	Total Title III-16	\$97,304,600.00
17.	Department of Human Services	
1.	Administration	
1.1	Administration	\$18,748,500.00
1.2	Field Operations	\$ 7,050,400.00
1.3	County Rentals	5,099,100.00
	Total Administration	\$30,898,000.00
2.	Family Assistance Services	
2.1	Child Support	\$14,662,100.00
2.2	Family Assistance Services	71,264,500.00
	Total Family Assistance Services	\$ 85,926,600.00
3.	Social Services	
3.1	Community Services	\$34,394,800.00
	Total Social Services	\$34,394,800.00
4.	Rehabilitative Services	
4.1	Vocational Rehabilitation	\$10,843,600.00
	Total Rehabilitative Services	\$10,843,600.00
	Total Title III-17	\$162,063,000.00
18.	Department of Revenue	
1.	Administration Division	\$6,340,800.00
2.	Tax Enforcement Division	4,204,300.00
3.	Management Information Systems Division	11,041,800.00
4.	Taxpayer Services Division	4,267,400.00
5.	Processing Division	4,681,400.00
6.	Audit Division	14,856,800.00

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Total Title III-18	\$45,392,500.00
19. Tennessee Bureau of Investigation	\$28,025,500.00
Total Title III-19	\$28,025,500.00
20. Department of Safety	
1. Administration	\$ 5,809,300.00
2. Driver License Issuance	3,179,800.00
3. Highway Patrol	70,508,500.00
4. Motorcycle Rider Education	178,100.00
5. Motor Vehicle Operations	7,158,400.00
6. Driver Education	224,900.00
7. Law Enforcement Training Academy	2,156,300.00
8. POST Commission	7,185,300.00
9. Titling and Registration	16,668,100.00
10. Major Maintenance	249,000.00
11. Technical Services	2,029,400.00
12. CID Anti-Theft Unit	715,200.00
Total Title III-20	\$116,062,300.00
21. Miscellaneous Appropriations	
1. Consolidated Retirement System	
1.1 County Officials and County Judges Retirement Contribution	\$7,800,000.00
1.2 Former Governors and Widows of Former Governors - Pensions	127,500.00
1.3 General Sessions Judges Retirement	125,000.00
2. State Employees' Unemployment Compensation, Sick Leave, Death Benefit Payments and Terminal Leave Payments	200,000.00
2.1 TCRS – Line of Duty Death Benefits	10,000.00
3. Insurance - Retirees	
3.1 Retirees Health Insurance	7,590,000.00
3.2 Retired Teachers Insurance	4,900,000.00
4. State School Bond Authority - Debt Service	40,300.00
5. Attorney's Fees - Civil Rights Cases	500,000.00
6. Special Election Reimbursement to Counties	130,000.00
7. Disaster Relief Grants	1,750,100.00
8. Criminal Justice Programs	1,189,600.00
9. Tennessee Association of Rescue Squads	78,300.00
10. YMCA Youth Legislature	25,000.00
11. YMCA Community Action Program	548,000.00
12. Forensic Center at Quillen College of Medicine	100,000.00

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13.	Finance and Administration – Special Projects	600,000.00
14.	LAN Consolidation	300,000.00
15.	Juvenile Justice Reform	2,500,000.00
16.	Administration Bills	2,500,000.00
17.	Board of Claims - Premiums	3,500,000.00
18.	Rent Adjustments	2,800,000.00
19.	Postage Rate Increase	669,100.00
20.	Mileage Rate Increase	1,178,600.00
21.	State Employee Salary Increase	49,150,000.00
22.	State Employee Salary Adjustments	20,516,600.00
23.	Group Health Insurance Premium	47,600,000.00
24.	TCRS Rate Increase	11,100,000.00
25.	Homeland Security	8,910,700.00

Total Title III-21 \$176,438,800.00

22. Department of Children's Services

1.	Administration	\$22,814,500.00
2.	Family Support Services	27,311,000.00
3.	Custody Services	83,783,600.00
4.	Adoption Services	14,544,900.00
5.	Child and Family Management	50,310,400.00
6.	John S. Wilder Youth Development Center	8,228,200.00
7.	Taft Youth Development Center	10,479,000.00
8.	Woodland Hills Youth Development Center	8,914,200.00
9.	Mountain View Youth Development Center	9,122,300.00
10.	Community Treatment Facilities	6,496,200.00
11.	Tennessee Preparatory School	9,380,400.00
12.	Major Maintenance	420,100.00

Total Title III-22 \$251,804,800.00

23. Board of Probation and Parole

1.	Probation and Parole Services	\$47,526,800.00
2.	Community Correction	10,159,000.00

Total Title III-23 \$57,685,800.00

24. Department of Finance and Administration – Mental Retardation

1.	Mental Retardation Administration	\$2,415,800.00
2.	Developmental Disabilities Council	122,200.00
3.	Community Mental Retardation Services	58,059,500.00
4.	West Tennessee Region	4,280,900.00
5.	Middle Tennessee Region	2,894,200.00
6.	East Tennessee Region	2,696,400.00

Total Title III-24 \$70,469,000.00

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25. Department of Finance and Administration – TennCare Program

1.	TennCare Administration	\$ 70,965,400.00
2.	TennCare Services	1,214,100,400.00
3.	Waiver and Crossover Services	216,066,100.00
4.	Long Term Care Services	397,144,700.00

Total Title III-25 \$1,898,276,600.00

Department of Finance and Administration – Office of Health Services

1.	Office of Health Services	\$7,347,800.00
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Total Title III-26 \$7,347,800.00

27. Emergency and Contingency Fund \$ 819,300.00

Total Title III-27 \$ 819,300.00

The Emergency and Contingency Fund may be used for any purpose authorized by law to be allowed on Executive Order of the Governor; provided, however, the Emergency and Contingency Fund shall not be used to fund any law requiring the expenditure of state funds unless an appropriation is made elsewhere for the estimated first year's funding.

28. Major Maintenance and Equipment

1.	State Building Commission	\$250,000.00
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Total Title III-28 \$250,000.00

29. Department of Transportation

There is hereby appropriated for the use of the Department of Transportation such receipts of highway revenues as are now provided by law, or may hereafter be so provided, to accrue to that department during the fiscal year, beginning July 1, 2002, to be expended by the Commissioner of Transportation, all according to the following schedule:

2002-2003

1.	Administration	
1.1	Headquarters	\$13,255,000.00
1.2	Bureau of Administration	32,421,000.00
1.3	Bureau of Engineering	29,592,000.00
1.4	Field Engineering	25,640,000.00
1.5	Insurance Premiums	8,490,000.00
	Total Administration	\$109,398,000.00

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2.	Equipment Purchases and Operations	\$ 21,201,000.00
3.	Highway Maintenance	\$276,603,000.00
4.	State Construction	
4.1	Highway Betterments	\$ 7,865,000.00
4.2	State Aid	30,682,000.00
4.3	State Industrial Access	10,815,000.00
4.4	Local Interstate Connectors	1,475,000.00
4.5	Capital Improvements	6,660,000.00
	Total State Construction	\$57,497,000.00
5.	Federal Construction	
5.1	Mass Transit	\$27,489,000.00
5.2	Planning and Research	7,700,000.00
5.3	Interstate Construction	17,025,000.00
5.4	Forest Highways	200,000.00
5.5	State Highway Construction	199,837,000.00
5.6	Bridge Replacement	5,800,000.00
5.7	Air, Water, and Rail Transportation	24,000,000.00
	Total Federal Construction	\$282,051,000.00
Total Title III-29		\$746,750,000.00

Said funds so appropriated shall be obligated and expended under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51. There is further appropriated to the Department of Transportation such departmental revenue, expressly including federal matching funds, as may accrue to the department.

The "Proposed Highway Program for Fiscal Year 2002-2003", prepared by the Department of Transportation as a supplement to and as "Supporting Data for the Budget Request", is hereby incorporated into and made a part of the Appropriations Act.

Whenever a determination is made that one or more of the projects in the approved program cannot be proceeded with, the Commissioner of Transportation shall furnish, in written form as prescribed by the Chairmen of the Finance, Ways and Means Committees of the Senate and House and the Chairmen of the Transportation Committees of the Senate and House, the reasons for such proposed cancellation or rescheduling of said project, together with a recommendation for a substitute project. The notice of cancellation or rescheduling of said project shall be submitted to the Speaker of the Senate, the Speaker of the House of Representatives, the Chairmen of the Finance, Ways and Means Committees of the Senate and House, the Chairmen of the Transportation Committees of the Senate and House and to the individual Senator and Representative in whose districts the canceled project or proposed substitution is located.

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From the funds appropriated above in Item 4.2, State Aid, the sum of \$9,600,000.00 is allocated for the purpose of funding the state's seventy percent (70%) share of the project cost of the 1990 Bridge Grant Program. For the fiscal 2002-2003 budget, the state shall fund a seventy percent (70%) share of this program and local governments shall be responsible for funding the remaining thirty percent (30%), as set forth in Tennessee Code Annotated, Title 54, Chapter 4, Part 5.

For the fiscal year beginning July 1, 2002, the Commissioner of Transportation shall distribute this money among the ninety-five (95) county geographical areas of the State according to the following formula:

One-half of the funds shall be distributed equally, and one-half shall be distributed on the basis of structural needs. Structural needs shall be determined by calculating the ratio of linear feet of bridges with a load rating of less than ten tons, in each county geographical area, located on public roads other than those on a federal-aid system or the state system of highways, to the total linear feet of like bridges in the State.

30. State Funding Board

There is hereby appropriated to the State Funding Board for interest and reduction of the state debt, for debt service expense and interest on proposed bond authorization:

	<u>2002-2003</u>
1. Interest on State Debt	\$39,636,000.00
2. Retirement of Bonds	67,354,000.00
3. Debt Service Expense	1,000,000.00
4. Amortization of Authorized and Unissued Construction Bonds	62,112,000.00
5. Amortization of Authorized and Unissued Highway Bonds	77,000,000.00
Total Title III-30	\$247,102,000.00

The appropriation made under Section 1, Title III-30, Items 1, 2, 3, 4 and 5 is made under the provisions of Tennessee Code Annotated, Title 9, Chapter 9, and may be increased to such amounts as will be necessary to carry out such provisions.

31. Capital Outlay

There is hereby appropriated to each of the departments and agencies enumerated herein, funds for major maintenance, equipment, construction and acquisition of land, and for expansion, improvement, betterments and repairs to existing structures. The Commissioner of Finance and Administration is hereby authorized to transfer the amounts herein appropriated to the Capital Projects Fund for the use of the said departments and agencies.

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	<u>2002-2003</u>
1. Department of Children's Services \$	200,000.00
2. Department of Education	260,000.00
3. Department of Environment and Conservation	3,560,000.00
4. Department of Finance and Administration	3,500,000.00
5. Department of Military	90,000.00
6. Department of Safety	100,000.00
7. Tennessee Board of Regents	11,700,000.00
8. University of Tennessee	12,695,000.00
9. Department of Finance and Administration - Statewide Maintenance	19,643,000.00
Total Title III-31	\$51,748,000.00

Said funds herein appropriated shall be used solely for improvements, betterments, and additions to state structures and for the acquisition of additional land and space, including the purchase of existing structures and grants, as described or referred to above and as approved by the State Building Commission; provided, further, that such funds as are appropriated herein shall be utilized to finance only those projects, improvements, betterments, or additions which are presented in the State of Tennessee's 2002-2003 Budget Document, as amended by any changes or additional projects contained in the Appropriations Act as passed on third and final consideration; provided, further, that all funds appropriated in this act or other general acts of this session for capital outlay shall be subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 15, Part 1.

32. Capital Outlay--Sinking Fund

There is hereby appropriated for the fiscal year beginning July 1, 2002, to the Sinking Fund from the receipts of the tax levied by Tennessee Code Annotated, Title 67, Chapter 4, Part 20, "The Excise Tax Law", an amount to be determined by the State Funding Board.

SECTION 2. Capital Outlay and Major Maintenance

Item 1. Any funds appropriated by this General Assembly for capital outlay, capital maintenance and major maintenance shall not revert to the general fund but shall remain available until expended. It is the intent of the General Assembly that funds of capital outlay nature shall remain available until expended for the purpose for which the appropriations were made.

Item 2. Any unexpended capital outlay or capital maintenance funds appropriated by previous General Assemblies for completed or discontinued projects shall be accumulated in a capital account to be administered by Finance and Administration. Expenditure of these funds is subject to approval by the State Building Commission upon recommendation by the Commissioner of Finance and Administration of each project to be provided for from said funds.

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Item 3. From the appropriations made to the State Funding Board in Section 1, Title III-30, the Funding Board is hereby authorized to allocate and provide to the Capital Projects Fund such funds not required for debt service during fiscal year 2002-2003 for projects duly authorized and approved by the General Assembly; provided, however, that when the Funding Board allocates funds under this provision, any other appropriation or bond authorization for said purpose is hereby reduced accordingly.

Item 4. From the funds appropriated for capital outlay in this act and other acts of the legislature, the Commissioner of Finance and Administration, with the approval of the State Building Commission, is authorized to charge the administrative costs of the construction programs to the capital outlay appropriations or to transfer from the Capital Projects Fund to the general fund an amount sufficient to cover those costs. Such expenditures shall be from non-bond proceeds.

Item 5. From the funds appropriated for capital outlay in this act and other acts of the legislature, the Commissioner of Finance and Administration is authorized to establish and charge the costs of design and engineering positions to the capital outlay appropriations or to transfer from the Capital Projects Fund to the general fund an amount sufficient to cover these costs. This item is subject to approval by the State Building Commission.

Item 6. From the funds appropriated for capital outlay in this act and other acts of the legislature, the Commissioner of Finance and Administration, with the approval of the State Building Commission, is authorized to transfer the appropriations for capital outlay to the Department of Finance and Administration to provide for the centralized administration of capital outlay. It is further the legislative intent to allow for centralized administration of any project recommended by the Commissioner of Finance and Administration and approved by the State Building Commission.

Item 7. To the extent that the accumulated yearly interest and earnings of the Natural Resources Trust Fund are available through June 30, 2002, said funds are hereby appropriated to the Department of Environment and Conservation to be available for projects which are reviewed and evaluated under procedures established by the authority of Tennessee Code Annotated, Section 11-14-308.

Item 8. There is hereby appropriated to the Department of Mental Health and Developmental Disabilities the proceeds from the sale of any real property and facilities being used by the department. The appropriation shall be available to fund the department's master plan for facilities subject to approval by the State Building Commission.

This appropriation is made notwithstanding the provisions of Section 20 of this act and the provisions of Tennessee Code Annotated, Title 54, Chapter 2, Part 2 to the contrary.

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Item 9. There is hereby appropriated to the Department of Military the proceeds from the sale of any real property and facilities being used by the department. The appropriation shall be available to fund replacement facilities for the department subject to approval by the State Building Commission.

This appropriation is made notwithstanding the provisions of Section 20 of this act and the provisions of Tennessee Code Annotated, Title 54, Chapter 2, Part 2 to the contrary.

Item 10. Other provisions of the law to the contrary notwithstanding, any proceeds from the sale of surplus land and real property in Davidson County are hereby reappropriated to the Department of Finance and Administration to provide for the state's office space and support facilities requirements in Davidson County.

This appropriation is made notwithstanding the provisions of Section 20 of this act and the provisions of Tennessee Code Annotated, Title 54, Chapter 2, Part 2 to the contrary. Any reappropriation made pursuant to the provisions of this item is subject to the approval of the State Building Commission.

Item 11. There is hereby transferred to the Capital Projects Fund the sum of \$1,212,341 from the reserve carried forward at June 30, 2001 for the Department of Correction, Sentencing Act of 1985, to fund the department's capital outlay program as presented in the 2002-2003 Budget Document. The appropriation and transfer of funds are made under the provisions of Tennessee Code Annotated, Section 9-4-210.

Item 12. The appropriation made in Section 1, Title III-7 to the Department of Correction, Sentencing Act of 1985, is hereby reduced in the amount of \$7,500,000 as reflected on page A-19 of the 2002-2003 Budget Document. The reduction is made under the provisions of Tennessee Code Annotated, Section 9-4-210.

From the adjusted appropriation of \$14,987,500 there is hereby reappropriated to the Department of Correction for capital outlay purposes the sum of \$7,339,659. There is further reappropriated the balance of the appropriation for Sentencing Act of 1985 to the State Funding Board for debt service requirements on authorized and unissued construction bonds for the department and the board is directed to cancel bonds in said amount.

Other appropriations made under this act to the Department of Correction, Sentencing Act of 1985, are hereby reappropriated to the department for major maintenance and capital outlay purposes. The appropriation and transfer of funds authorized in this item are made under the provisions of Tennessee Code Annotated, Section 9-4-210.

SECTION 3.

Item 1. Appropriations made under Section 1, Titles III-11 and III-16 for the operation of the state regulatory boards, shall be subject to allotment by the Commissioner of Finance and Administration, and no expenditure shall be made by any said boards out of fees collected by them unless and until such allotments have been made by the Commissioner of Finance and Administration. Such allotments for the operation of said respective boards as are made by the Commissioner of Finance and Administration shall be disbursed under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

The allotment hereinabove provided shall be subject to the condition that no money shall be paid therefrom for the salary of any employee of said boards unless and until such salary has been approved by the Commissioner of Personnel. The appointment of all employees of said boards shall likewise be approved by the Commissioner of Personnel.

Notwithstanding any provision of law to the contrary, no member of any board or commission established by law or pursuant to law, which receives an appropriation under this act, regardless of the source of funding, shall receive any compensation, whether denominated per diem or by whatever name called, except for days in which such member actually works four (4) or more hours performing duties directly relating to that board's or commission's activities, or for time or days spent attending meetings of that board or commission. The chairman or head of each board or commission, the department head to which such board or commission is attached administratively, and the Commissioner of Finance and Administration, shall prescribe procedures to contain, as a minimum, a certification of time worked by each member claiming compensation.

Item 2. Except as otherwise provided in this section, the appropriations to the Wildlife Resources Agency under Section 1, Title III-6 shall be paid out of the special fund established under Tennessee Code Annotated, Title 70, Chapter 1, Part 4 and Section 69-10-203. Such appropriations shall be expended under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51, and shall be used only for the expenses of the Wildlife Resources Agency pursuant to Tennessee Code Annotated, Title 70 and Title 69, Chapter 10, Part 2, and no part of the unexpended fund left at the end of the fiscal year shall be used for any other purpose but shall be carried over in said fund and may be expended during the next year, and all of said fees and revenues provided by Tennessee Code Annotated, Title 70 and Title 69, Chapter 10, Part 2, are herein specifically apportioned and appropriated to the use and for the benefit of the Wildlife Resources Agency to be expended under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51. Nothing in this item shall be construed as relieving the Wildlife Resources Agency of the duty of policing littering of lakes and streams.

Item 3. The appropriation to the State Board of Law Examiners in Section 1, Title II, Item 13, shall be from funds generated by fees collected by the board under the provisions of Tennessee Code Annotated, Title 23, Chapter 1.

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In case the appropriation to the board shall prove inadequate to allow the board to function efficiently, the Commissioner of Finance and Administration may make an additional allotment thereto from the general fund, the total of all allotments to the board not to exceed the revenues paid into the treasury by the board.

Item 4. The appropriation to the Department of Financial Institutions in Section 1, Title III-12, shall be derived from banking fees assessed pursuant to Tennessee Code Annotated, Title 45, Chapter 1, Part 1. No part of the unexpended fees left at the end of the fiscal year shall revert to the general fund.

DEPARTMENTAL REVENUES

SECTION 4. All departmental revenue of every kind, as hereinafter defined, collected by any department, institution, office, or agency, in the course of its operations, for its own use, are hereby appropriated to it in addition to the specific appropriations made by this act, **unless otherwise provided in this act or other provision of law.** Federal aid funds granted to the state for the use of or to be administered by any department, institution, or agency, are likewise appropriated. For the purpose of this section "departmental revenues" are defined as (1) earnings or charges for goods or services; (2) donations, contributions or participation by political subdivisions, foundations, corporations, firms or persons. State revenues, in contradistinction to departmental revenues, are the proceeds of taxes, licenses, fees, fines, forfeiture or other imposts laid specifically by law.

Notwithstanding any provision of the previous paragraph, the Department of Health shall deposit all funds generated by fees or taxes collected by such entity in the general fund of the state. Any appropriations for the operation of such entity shall be subject to allotment by the Commissioner of Finance and Administration, and no expenditure shall be made by any such entity out of fees or taxes collected by it, unless and until such allotments have been made by the Commissioner of Finance and Administration. Such allotments for the operation of such entity as are made by the Commissioner of Finance and Administration shall be disbursed under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

The departmental revenues and federal aid funds appropriated under this act shall include the amounts hereinafter set out:

I. LEGISLATIVE	<u>2002-2003</u>
1. Legislative Administration Services	\$17,000.00
2. House of Representatives	28,500.00
3. State Senate	22,000.00
4. General Assembly Support Services	70,000.00
Total Title I	\$ 137,500.00

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1.	Appellate and Trial Courts	\$ 27,300.00
2.	Supreme Court Buildings	605,000.00
3.	Child Support Referees	729,600.00
4.	Indigent Defendants' Counsel	5,000.00
5.	Tennessee State Law Libraries	20,000.00
6.	Appellate Court Clerks	1,525,900.00
7.	Judicial Programs and Commissions	40,000.00
8.	Administrative Office of the Courts	378,700.00
9.	Judicial Conference	42,400.00

Total Title II \$3,373,900.00

III. EXECUTIVE**1. Constitutional and Quasi-Judicial Offices**

1.	Attorney General and Reporter	
1.1	Attorney General and Reporter	\$9,629,000.00
1.2	Special Litigation	783,400.00
	Total Attorney General and Reporter \$	10,412,400.00

2.	District Attorneys General	
2.1	District Attorneys General	\$1,235,500.00
2.2	District Attorneys General Conference	90,000.00
2.3	Executive Director	96,600.00
2.4	IV-D Child Support Enforcement	10,776,000.00
	Total District Attorneys General	\$12,198,100.00

3.	Department of State	
3.1	Secretary of State	\$4,578,500.00
3.2	Public Documents	120,000.00
3.3	Library and Archives	2,291,600.00
3.4	Regional Libraries	699,000.00
3.5	Library Construction	400,000.00
3.6	Registry of Election Finance	24,000.00
3.7	Economic Council on Women	68,000.00
	Total Department of State	\$8,181,100.00

4.	Public Defenders	
4.1	District Public Defenders	\$ 235,000.00
	Total Public Defenders	\$ 235,000.00

Comptroller of the Treasury

5.1	Division of Administration	\$ 101,900.00
5.2	Office of Management Services	88,100.00
5.3	Capitol Print Shop	1,346,000.00
5.4	Division of State Audit	3,830,300.00
5.5	Division of County Audit	800,000.00

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5.6	Division of Municipal Audit	163,000.00
5.7	Division of Bond Finance	401,800.00
5.8	Division of Property Assessments	1,615,000.00
5.9	State Board of Equalization	12,500.00
5.10	Offices of Research and Education Accountability	250,000.00
	Total Comptroller of the Treasury	\$8,608,600.00
6.	Office of the Post-Conviction Defender	
6.1	Office of the Post-Conviction Defender	\$204,100.00
	Total Office of the Post-Conviction Defender	\$204,100.00
7.	Treasury Department	
7.1	Treasurer's Office	\$15,227,700.00
	Total Department of Treasury\$	15,227,700.00
8.	Claims and Compensation	
8.1	Criminal Injuries Compensation	\$ 3,396,000.00
8.2	Claims Award Reserve Fund	35,369,000.00
8.3	Unclaimed Property	10,975,000.00
8.4	Risk Management	1,603,200.00
	Total Claims and Compensation	\$51,343,200.00
	Total Title III-1	\$106,410,200.00
2.	Executive Offices	
1.	Commissions	
1.1	Commission on Children and Youth	\$ 8,928,800.00
1.2	Commission on Aging and Disability	22,932,200.00
1.3	Alcoholic Beverage Commission	1,900,800.00
1.4	Human Rights Commission	433,900.00
1.5	Advisory Commission on Intergovernmental Relations	1,241,800.00
1.6	Council of Juvenile and Family Court Judges	105,900.00
1.7	Tennessee Housing Development Agency	263,989,700.00
1.8	Arts Commission	596,300.00
1.9	Tennessee Regulatory Authority	325,200.00
1.10	Health Facilities Commission	12,400.00
1.11	Corrections Institute	15,000.00
1.12	Tennessee Rehabilitative Initiative in Correction	24,425,200.00
	Total Commissions	\$324,907,200.00

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2.	Department of Finance and Administration	
2.1	Division of Administration	\$ 9,299,300.00
2.2	Office of Information Resources	143,970,000.00
2.3	Insurance Administration	3,870,900.00
2.4	Division of Accounts	10,566,500.00
2.5	Criminal Justice Programs	27,319,200.00
2.6	Resource Development and Support	6,306,600.00
2.7	Capital Projects and Real Property Management	3,922,800.00
2.8	National and Community Service	4,996,400.00
	Total Department of Finance and Administration	\$210,251,700.00
3.	Department of Personnel	
3.1	Executive Administration	\$ 626,300.00
3.2	Human Resource Development	1,991,300.00
3.3	Technical Services	1,847,200.00
	Total Department of Personnel	\$ 4,464,800.00
4.	Department of General Services	
4.1	Administration	\$ 3,603,700.00
4.2	Postal Services	14,863,900.00
4.3	Property Utilization	1,683,100.00
4.4	Motor Vehicle Management	30,381,700.00
4.5	Property Management	10,596,300.00
4.6	Printing	4,706,500.00
4.7	Purchasing	4,047,900.00
4.8	Systems Management	2,002,700.00
4.9	Central Stores	4,284,800.00
4.10	Records Management	1,283,700.00
4.11	Food Services Program	4,779,200.00
	Total Department of General Services	\$82,233,500.00
5.	Department of Veterans Affairs	\$ 257,900.00
	Total Title III-2	\$622,115,100.00
3.	Department of Agriculture	
1.	Administration and Grants	\$ 6,396,900.00
2.	Regulatory Services	3,755,300.00
3.	Market Development	262,100.00
4.	Forestry	8,033,800.00
5.	Agricultural Resources Conservation Fund	100,000.00
6.	Tennessee Grain Indemnity Fund	141,700.00
7.	Agricultural Regulatory Fund	120,000.00
	Total Title III-3	\$18,809,800.00

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4.	Department of Tourist Development	
1.	Administration and Marketing	\$ 10,000.00
2.	Welcome Centers	4,368,500.00
	Total Title III-4	\$4,378,500.00
5.	Department of Environment and Conservation	
1.	Administrative Services	\$ 5,906,300.00
2.	Conservation Administration	4,554,400.00
3.	Historical Commission	505,100.00
4.	Land and Water Conservation Fund	750,000.00
5.	Archaeology	205,200.00
6.	Geology	155,600.00
7.	State Parks	31,689,600.00
8.	Natural Heritage	383,800.00
9.	Tennessee State Parks Maintenance	134,600.00
10.	Elk River Resource Management	1,083,800.00
11.	West Tennessee River Basin Authority	202,900.00
12.	Environment Administration	3,020,200.00
13.	Air Pollution Control	8,324,100.00
14.	Radiological Health	4,226,000.00
15.	Water Pollution Control	8,330,100.00
16.	Solid Waste Management	6,955,700.00
17.	DOE Oversight	5,923,900.00
18.	Hazardous Waste Remedial Action Fund	9,786,100.00
19.	Water Supply	4,064,800.00
20.	Groundwater Protection	5,247,600.00
21.	Underground Storage Tanks	2,300,800.00
22.	Community Assistance	45,052,900.00
23.	Used Oil Collection	234,000.00
	Total Title III-5	\$149,037,500.00
6.	Wildlife Resources Agency	
1.	Wildlife Resources Agency	\$16,543,900.00
2.	Boating Safety	2,306,100.00
	Total Title III-6	\$18,850,000.00
7.	Department of Correction	
1.	Administration	\$4,236,600.00
2.	Tennessee Correction Academy	158,800.00
3.	Wayne County Boot Camp	342,500.00
4.	Brushy Mountain Correctional Complex	1,144,900.00
5.	Tennessee Prison for Women	975,400.00
6.	Turney Center Industrial Prison and Farm	869,600.00

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7.	Mark Luttrell Correctional Facility	542,000.00
8.	Middle Tennessee Correctional Complex	931,800.00
9.	Southeastern Tennessee State Regional Correctional Facility	718,100.00
10.	West Tennessee State Penitentiary	1,291,100.00
11.	Riverbend Maximum Security Institution	396,900.00
12.	Northeast Correctional Complex	1,286,500.00
13.	South Central Correctional Center	15,200.00
14.	Northwest Correctional Complex	1,535,400.00
15.	Lois M. DeBerry Special Needs Facility	367,400.00
16.	Hardeman County Incarceration Agreement	17,300.00
17.	Federal Construction Grants	15,310,000.00

Total Title III-7\$ 30,139,500.00

8. Department of Economic and Community Development

1.	Administrative Services	\$ 247,400.00
2.	Industrial Development	1,340,000.00
3.	Regional Grants Management	31,974,300.00
4.	Business Services	458,300.00
5.	Community Development	1,521,900.00
6.	Energy Division	2,563,100.00
7.	Small Business Energy Loan Program	1,250,000.00
8.	Local Government Energy Loan Program	3,500,000.00
9.	Tennessee Industrial Infrastructure Program (TIIP)	32,000.00
10.	Job Skills Fund	1,900,000.00

Total Title III-8 \$44,787,000.00

9. Department of Education

1.	Administration	\$ 1,052,700.00
2.	Improving America's Schools Act	214,914,200.00
3.	Training and Professional Development	2,078,200.00
4.	Curriculum and Instruction	12,847,100.00
5.	Improving School Programs	40,833,500.00
6.	Goals 2000 and Technology Literacy	8,778,100.00
7.	School Nutrition Programs	163,599,800.00
8.	Special Education Services	120,062,300.00
9.	Vocational Education Programs	28,472,000.00
10.	Alvin C. York Institute	649,500.00
11.	Tennessee School for the Blind	858,500.00
12.	Tennessee School for the Deaf	486,600.00
13.	West Tennessee School for the Deaf	198,000.00
14.	Tennessee Infant-Parent Services School	5,440,800.00
15.	Accountability	9,405,400.00
16.	BEP and Other LEA Support	18,500,000.00

Total Title III-9 \$628,176,700.00

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10.	Higher Education	
1.	Tennessee Higher Education Commission	\$ 867,200.00
2.	Tennessee Student Assistance Awards	999,100.00
3.	Federal Family Education Loan Program	80,000,000.00
4.	Tennessee Student Assistance Corporation	13,933,800.00
5.	Academic Scholars Program	378,700.00
6.	Loan/Scholarship Programs	893,500.00
7.	THEC Grants	1,286,900.00
	Total Title III-10	\$98,359,200.00
11.	Department of Commerce and Insurance	
1.	Administration	\$4,441,900.00
2.	Insurance	5,860,500.00
3.	Fire Prevention	12,317,700.00
4.	Securities	1,531,700.00
5.	Regulatory Boards	336,700.00
6.	TennCare Oversight	2,826,600.00
7.	Consumer Affairs	25,000.00
8.	Fire and Codes Enforcement Academy	265,200.00
	Total Title III-11	\$27,605,300.00
12.	Department of Financial Institutions	\$3,446,500.00
	Total Title III-12	\$3,446,500.00
13.	Department of Labor and Workforce Development	
1.	Administration	\$5,683,500.00
2.	Tennessee Occupational Safety and Health	
	Administration (TOSHA)	3,313,100.00
3.	Workers' Compensation	32,000.00
4.	Mines	333,600.00
5.	Boilers and Elevators	2,253,800.00
6.	Labor Standards	157,500.00
7.	Employment and Training	80,464,400.00
8.	Second Injury Fund	175,000.00
9.	Adult Basic Education	16,062,700.00
10.	Employment Security	51,039,600.00
11.	Employee Development	11,063,100.00
	Total Title III-13	\$170,578,300.00
14.	Department of Mental Health and Developmental Disabilities	
1.	Administration	
1.1	Administrative Services Division	\$2,803,900.00
	Total Administration	\$2,803,900.00

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2.	Mental Health Services	
2.1	Mental Health Services Administration	\$1,108,500.00
2.2	Community Mental Health Services	11,603,700.00
2.3	Lakeshore Mental Health Institute	18,933,900.00
2.4	Middle Tennessee Mental Health Institute	26,160,800.00
2.5	Western Mental Health Institute	17,363,500.00
2.6	Moccasin Bend Mental Health Institute	10,679,100.00
2.7	Memphis Mental Health Institute	7,897,600.00
	Total Mental Health Services	\$93,747,300.00
	Total Title III-14	\$96,551,200.00
15.	Department of Military	
1.	Administration	\$ 543,900.00
2.	Army National Guard	7,110,000.00
3.	Air National Guard	9,900,000.00
4.	Tennessee Emergency Management Agency	7,351,500.00
5.	Armories Major Maintenance	2,960,600.00
6.	TEMA Disaster Relief Grants	5,000,000.00
7.	Armories Utilities	1,285,900.00
	Total Title III-15	\$34,151,900.00
16.	Department of Health	
1.	Administration	
1.1	Executive Administration	\$ 718,600.00
1.2	Administrative Services	1,061,700.00
1.3	Division of Technology	55,400.00
1.4	Policy Planning and Assessment	4,533,600.00
	Total Administration	\$6,369,300.00
2.	Manpower Resources and Facilities	
2.1	Health Licensure and Regulation	\$7,258,100.00
2.2	Emergency Medical Services	939,500.00
2.3	Laboratory Services	7,500,200.00
	Total Manpower Resources and Facilities	\$15,697,800.00
3.	Community Health Services	
3.1	General Environmental Health	\$ 28,600.00
3.2	Health Services Administration	1,219,700.00
3.3	Maternal and Child Health	9,417,200.00
3.4	Communicable and Environmental Disease Services	17,130,600.00
	Total Community Health Services	\$139,331,700.00

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4.	Local Health	
4.1	Local Health Services	\$103,151,400.00
	Total Local Health	\$103,151,400.00
5.	Alcohol and Drug Abuse Services	
5.1	Alcohol and Drug Abuse Services	\$ 31,130,500.00
	Total Alcohol and Drug Abuse Services	\$ 31,130,500.00
	Total Title III-16	\$295,680,700.00
17.	Department of Human Services	
1.	Administration	
1.1	Administration	\$33,817,500.00
1.2	Field Operations	11,424,200.00
1.3	County Rentals	14,095,400.00
	Total Administration	\$59,337,100.00
2.	Family Assistance Services	
2.1	Child Support	\$ 57,795,500.00
2.2	Temporary Cash Assistance	125,677,800.00
2.3	Family Assistance Services	87,701,400.00
2.4	Disaster Relief	1,500,000.00
2.5	Food Stamp Coupons	450,000,000.00
	Total Family Assistance Services	\$722,674,700.00
3.	Social Services	
3.1	Community Services	\$302,634,100.00
3.2	Child Care Facilities Loan Program	225,500.00
	Total Social Services	\$302,859,600.00
4.	Rehabilitative Services	
4.1	Vocational Rehabilitation	\$ 79,381,200.00
4.2	Disability Determination	36,325,100.00
	Total Rehabilitative Services	\$115,706,300.00
	Total Title III-17	\$1,200,577,700.00
18.	Department of Revenue	
1.	Administration Division	\$2,052,700.00
2.	Tax Enforcement Division	2,052,700.00
3.	Management Information Systems Division	2,739,600.00
4.	Taxpayer Services Division	2,086,900.00
5.	Audit Division	7,191,900.00
6.	Processing Division	1,760,600.00
	Total Title III-18	\$17,884,400.00

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19.	Tennessee Bureau of Investigation	\$14,609,800.00
	Total Title III-19	\$14,609,800.00
20.	Department of Safety	
1.	Administration	\$ 346,000.00
2.	Driver License Issuance	15,702,000.00
3.	Highway Patrol	8,905,000.00
4.	Auto Theft Investigations	350,000.00
5.	Motor Vehicle Operations	60,000.00
6.	Law Enforcement Training Academy	965,000.00
7.	Titling and Registration	7,755,000.00
8.	Technical Services	7,611,000.00
	Total Title III-20	\$41,694,000.00
21.	Department of Children's Services	
1.	Administration	\$22,140,900.00
2.	Family Support Services	17,515,900.00
3.	Custody Services	128,865,000.00
4.	Adoption Services	13,071,100.00
5.	Child and Family Management	93,210,800.00
6.	John S. Wilder Youth Development Center	265,900.00
7.	Taft Youth Development Center	473,800.00
8.	Woodland Hills Youth Development Center	293,600.00
9.	Mountain View Youth Development Center	268,700.00
10.	Community Treatment Facilities	3,043,600.00
11.	Tennessee Preparatory School	2,287,000.00
	Total Title III-21	\$281,436,300.00
22.	Board of Probation and Parole	
1.	Probation and Parole Services	\$340,000.00
	Total Title III-22	\$340,000.00
23.	Department of Finance and Administration – Mental Retardation	
1.	Mental Retardation Administration	\$5,587,500.00
2.	Developmental Disabilities Council	2,092,100.00
3.	Community Mental Retardation Services	300,334,500.00
4.	West Tennessee Region	74,634,000.00
5.	Middle Tennessee Region	53,703,400.00
6.	East Tennessee Region	59,979,600.00
	Total Title III-23	\$496,331,100.00

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24. Department of Finance and Administration – TennCare Program

1.	TennCare Administration	\$ 85,788,500.00
2.	TennCare Services	2,841,705,500.00
3.	Waiver and Crossover Services	380,078,600.00
4.	Long Term Care Services	714,793,100.00

Total Title III-24 \$4,022,365,700.00

Department of Finance and Administration – Office of Health Services

1.	Office of Health Services	\$1,313,000.00
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Total Title III-25 \$1,313,000.00

26. Department of Transportation

1.	Highway Maintenance	\$1,100,000.00
2.	Highway Betterments	100,000.00
3.	State Aid	11,143,000.00
4.	State Industrial Access	200,000.00
5.	Local Interstate Connectors	1,475,000.00
6.	Mass Transit	30,073,000.00
7.	Planning and Research	11,000,000.00
8.	Interstate Construction	132,900,000.00
9.	Forest Highways	700,000.00
10.	State Highway Construction	510,900,000.00
11.	Bridge Replacement	92,400,000.00
12.	Air, Water, and Rail Transportation	16,309,000.00

Total Title III-26 \$808,300,000.00

27. Facilities Revolving Fund

1.	General Services Operating Maintenance	\$40,565,000.00
2.	General Services Project Maintenance	1,700,000.00
3.	Facilities Management	29,171,000.00
4.	Capital Projects	3,280,000.00
5.	Debt Service	22,000,000.00

Total Title III-27 \$96,716,000.00

REFUND OF RECEIPTS

SECTION 5.

Item 1. There is hereby appropriated the necessary and sufficient sums to refund any collection or part thereof made erroneously or illegally for the use or benefit of the state or any of its departments, institutions, offices or agencies. Such refunds shall be made in accordance with existing law as applicable in any particular case. In case revenues are not adequate to meet in full all appropriations made, the appropriations made for Sinking Fund Debt Service and the amounts necessary to cover the salary and wage obligations of the State shall have preferential payment.

Item 2. With respect to any revenues or receipts collected by any department or agency with the exception of those collected by the Department of Revenue, notwithstanding any provisions of the law to the contrary, such amounts as are determined to have been erroneously paid may be refunded by such procedure as may be approved by the Commissioner of Finance and Administration and the Comptroller of the Treasury.

SECTION 6. In addition to the appropriations made to the State Funding Board in Section 1, Title III-30 of this act, there is appropriated the following items:

Item 1. There is hereby appropriated a sum sufficient from the internal service funds available to the Department of Finance and Administration, Office of Information Resources, to provide the debt service on general obligation bond and note issues authorized in the following amounts:

(1) Chapter 930, Public Acts of 1992	\$8,742,000.00
(2) Chapter 850, Public Acts of 1994	\$13,800,000.00
(3) Chapter 952, Public Acts of 1996	\$20,000,000.00

Item 2. From the funds appropriated in Section 1, Title III-30, Item 5, Amortization of Authorized and Unissued Highway Bonds, the sum of \$77,000,000.00 is appropriated in lieu of issuing highway bonds authorized under the provisions of Chapter 461, Public Acts of 1995. The State Funding Board shall take the necessary action to cancel the unissued bonds.

Item 3. For the purpose of defraying the costs of issuance of debt and the administration of authorized programs of the Tennessee Local Development Authority, there is hereby appropriated to the Tennessee Local Development Authority an amount not to exceed \$25,000.00 from the State Loan Program Fund. Such amounts shall be determined as necessary by the State Funding Board and the Tennessee Local Development Authority.

Item 4. In addition to the appropriation made in Section 1, Title III-30 there is hereby appropriated a sum sufficient to pay for debt service attributable to any obligations issued pursuant to Chapter 850, Public Acts of 1994; Chapter 945, Public Acts of 1996; and Chapter 990, Public Acts of 1996. Said appropriation shall be derived from excess revenues generated by Chapter 1029, Public Acts of 1992 and from revenues, fees or other funds resulting from the development and operations of facilities funded under the provisions of Chapter 850, Public Acts of 1994; Chapter 945, Public Acts of 1996; and Chapter 990, Public Acts of 1996 and any other amounts which may be appropriated therefor. Pursuant to procedures as may be determined by the Commissioner of Finance and Administration, such debt service payments shall be transferred to the debt service fund.

Subject to the approval of the Commissioner of Finance and Administration, there is hereby authorized to be expended from available funds of the state such amounts as may be necessary to pay debt service on any obligations issued pursuant to Chapter 850, Public Acts of 1994; Chapter 945, Public Acts of 1996; and Chapter 990, Public Acts of 1996 prior to commencement of operations of any such facilities; provided, however, any state funds utilized for this purpose, shall, together with interest thereon, be repaid from such facilities revenues pursuant to terms and conditions as may be prescribed by the State Funding Board.

Item 5. In addition to the appropriation made in Section 1, Title III-30 there is hereby appropriated a sum sufficient from revenues, fees or other funds derived from the development and operations of new state golf courses on state property to pay for the operations of such golf courses and debt service attributable to any obligations issued therefor pursuant to Chapter 528, Public Acts of 1993. Pursuant to procedures as may be determined by the Commissioner of Finance and Administration, such debt service payments shall be transferred to the debt service fund.

Subject to the approval of the Commissioner of Finance and Administration, there is hereby authorized to be expended from available funds of the state such amounts as may be necessary to pay debt service on any obligations issued pursuant to Chapter 528, Public Acts of 1993 prior to commencement of operations of any such golf course; provided, however, any state funds utilized for this purpose shall, together with interest thereon, be repaid from such golf course's revenues pursuant to terms and conditions as may be prescribed by the State Funding Board.

It is hereby declared to be the legislative intent that in determining the feasibility of any new golf course as contemplated by Chapter 528, Public Acts of 1993, the Department of Environment and Conservation and the State Building Commission shall take into consideration the repayment of any debt service payments made from state funds pursuant to the authority of this section.

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Item 6. From the appropriation made in Section 1, Title III-30 of this act to the State Funding Board, the sum of \$3,988,000 is earmarked to pay debt service on general obligation bonds issued under the authority of Chapter 582, Public Acts of 1996 for the purpose of making a grant to the Metropolitan Government of Nashville and Davidson County for the construction of a sports stadium. It is the legislative intent that said appropriations shall be funded first from the sales tax revenues allocated under the provisions of Tennessee Code Annotated, Section 67-6-103(d)(1) and any revenues in excess of debt service requirements shall be reserved at June 30 and not revert to the fund balance and that said appropriations, to the extent required, shall be funded second from revenues and reserves available to the debt service fund.

Item 7. In addition to the appropriations made in Section 1, Title III-30 of this act to the State Funding Board, and to the extent that the board issues any tax revenue anticipation notes pursuant to the provisions of Tennessee Code Annotated, Section 9-9-301, there is hereby appropriated a sum sufficient from subsequently available funds of the state to pay debt service on such notes within the fiscal year of issuance.

SECTION 7. The appropriations made by this act under Sections 1 and 4 shall be subject to the following provisions, limitations, or restrictions. From the funds appropriated to the:

Item 1. It is the legislative intent that annual dues assessed by the Council of State Governments (CSG) and the National Conference of State Legislatures (NCSL) be paid quarterly and timely from the funds appropriated in Section 1, Title III-2, Item 1.2 (Intergovernmental Conferences and Special Operations). CSG dues for 2002-2003 shall be remitted in four (4) equal payments \$28,564 (\$114,256 annualized), and NCSL dues shall be remitted in four (4) equal payments \$33,768.25 (\$135,073 annualized).

Item 2. From the appropriation made for the State Election Commission under Section 1, Title III-1, Item 3.2, there is hereby appropriated funds for expenses of the State Election Commission, including the printing of election laws, the office of the Coordinator of Elections, and other expenses of administering election laws. The salary of each member of the State Election Commission shall be seven thousand two hundred dollars (\$7,200.00) annually, except that the Chairman shall be paid an additional one thousand eight hundred dollars (\$1,800.00) annually for additional duties required of him and the Secretary shall be paid an additional one thousand two hundred dollars (\$1,200.00) annually for additional duties required of him. The Secretary of State is hereby authorized to make all necessary purchases of election supplies from funds appropriated for such purpose in accordance with state purchasing procedures.

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Item 3. From the funds appropriated to the Office of the Comptroller of the Treasury and the Department of Finance and Administration, there is hereby authorized to be allocated an amount not to exceed \$45,000.00 for the purpose of meeting the State of Tennessee's participation in the cost of supporting the National Council on Governmental Accounting or a governmental accounting standards board in the establishment of governmental accounting standards and principles.

Item 4. Maintenance of the Governor's Mansion in the amount of forty-eight thousand dollars (\$48,000.00) per year, and travel expenses as certified by the Governor, shall be paid monthly by the Commissioner of Finance and Administration from the appropriations made under Section 1, Title III-2, Item 1.1 for the Governor's Office, it being the legislative intent that the mansion should be maintained and operated as the official residence and office of the Chief Executive of Tennessee in a manner required of the Office of Governor.

Item 5. Tennessee Arts Commission in Section 1, Title III-2, Item 2.10, the sum of \$80,000.00 is hereby appropriated for the purpose of making a grant to Fisk University for the necessary staff, services and other costs associated with maintaining and showing the Stieglitz Collection at Fisk University. It is the legislative intent that this appropriation is a direct appropriation grant and that it be processed accordingly by the Commissioner of Finance and Administration.

Item 6. Tennessee Arts Commission in Section 1, Title III-2, Item 2.10, the sum of \$100,000.00 which is granted to the Knoxville Arts Council for ticket subsidies for students in east Tennessee shall provide for a sub-grant in the amount of \$27,606.00 to the Allied Arts of Greater Chattanooga. It is the legislative intent that the grant be shared on a per student basis.

Item 7. Department of Finance and Administration in Section 1, Title III-2, Item 3, there is hereby earmarked a sum not to exceed \$820,000.00 from the proceeds of the \$15.00 privilege tax on marriage licenses for purposes of funding family violence shelters and shelter services. This appropriation is made under the provisions of Tennessee Code Annotated, Section 67-4-411.

Item 8. Board of Probation and Parole in Section 1, Title III-23, Item 2, the board is authorized to make a grant of up to \$200,000 to "Project Return".

Item 9. Board of Probation and Parole in Section 1, Title III-23, Item 2, the sum of \$150,000 is for the sole purpose of making a grant in such amount to Dismas, Inc., to be used for assisting with their programs in the State of Tennessee, and for no other purpose. From the funds appropriated to Dismas, Inc., there is earmarked the sum of \$25,000 to Chattanooga Endeavors (formerly Dismas House of Chattanooga) and \$8,000 to Better Decisions (formerly DECISIONS, a program of the DISMAS, Inc. home office) for the sole purpose of maintaining operations at their former level.

Item 10. Department of Economic and Community Development in Section 1, Title III-8, the amount of \$100,000.00 is to be paid to the Nashville Business Development Center and the amount of \$100,000.00 is to be paid to the Memphis Business Development Corporation as direct appropriation grants.

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Item 11. Commission on Fire Fighting Personnel Standards and Education in Section 1, Title III-11, Item 3, funds are earmarked for payment to eligible units of local government to pay bonus supplements to firemen who successfully complete during calendar year 2002 an in-service training program appropriate to such fireman's rank and responsibility and the size and location of his department of at least forty (40) hours' duration at a school established or certified by such commission. The funds appropriated by this item shall be disbursed in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 24 and Section 56-4-205(c) and no supplement to any person shall exceed four hundred fifty dollars (\$450.00).

Item 12. Department of Health in Section 1, Title III-16, the amount of one hundred twenty-five thousand dollars (\$125,000.00) is to be paid to St. Jude Hospital in Memphis to defray, in whole or in part, the expenses of patients and their families who are citizens and residents of Tennessee in traveling to and from St. Jude Hospital. Such payments shall be administered by the hospital and shall be made on the basis of need. Such patients, or their families, requesting assistance from these funds shall supply such documents supporting need and travel expenses as the hospital may require.

Item 13. POST Commission in Section 1, Title III-20, Item 8, funds are earmarked for payment to eligible units of local government which have required all police officers to complete during calendar year 2002 an in-service training course appropriate to each officer's rank and responsibility commensurate with the size and location of his department of at least forty (40) hours duration at a school certified or recognized by the Peace Officer Standards and Training Commission. The funds appropriated by this item shall be disbursed in accordance with the provisions of Tennessee Code Annotated, Title 38, Chapter 8, Part 1, and no recipient shall be eligible to receive a supplement of more than six hundred dollars (\$600.00) pursuant to such appropriation.

Item 14. Department of Children's Services in Section 1, Title III-22, the sum of \$530,000.00 is hereby appropriated to fund child abuse prevention services. It is the legislative intent to fund the program established under the provisions of Tennessee Code Annotated, Title 71, Chapter 6, Part 2 (Chapter 930, Public Acts of 1984).

Item 15. From the appropriation in Section 1, Title III-27, for the Emergency and Contingency Fund, there is hereby appropriated an amount not to exceed three hundred nineteen thousand three hundred dollars (\$319,300.00) for the following purposes: (1) forest fire control in the Division of Forestry, (2) payment of indemnities for destruction of livestock and extraordinary veterinary payrolls for cattle market fluctuations by the Department of Agriculture, (3) payment of extraordinary expenditures for insect and pest control efforts by the Department of Agriculture, and (4) the cost of personnel and equipment needed to restore law and order in instances arising out of civil disorders.

SECTION 8. In addition to the appropriations made in Section 1 of this act and subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51, there is hereby appropriated a sum sufficient:

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Item 1. To pay all lawful claims due from the state to any of the several counties thereof on account of unpaid court costs, unpaid allotments of taxes distributable by the state to the counties and such other sums as may be due from the state to the counties, but none of such funds shall be distributed to the counties of the state until after the validity of the claims has been investigated and approved by the State Comptroller and the Governor. Provided, however, that such funds shall not include funds due to counties and cities for the state share of costs to cities and counties as required by Section 24, Article II, of the Constitution of Tennessee.

Item 2. To the Tennessee Code Commission for the following purposes: (1) to purchase pocket supplements for the state-owned sets of Tennessee Code Annotated; (2) to purchase replacement volumes for state-owned sets of Tennessee Code Annotated; (3) to purchase replacement sets of Tennessee Code Annotated; (4) to purchase sets of Tennessee Code Annotated for judges of new courts created during the 2002 Session of the General Assembly; (5) to purchase pocket supplements for the state-owned sets of the Index to the Private Acts of Tennessee; and (6) to pay for proofreading and other expenses involved in preparing supplements and replacement volumes for Tennessee Code Annotated.

Item 3. To pay the salaries and travel expenses of all persons appointed to sit as Special Judges, Special District Attorneys General and/or Special Prosecutors under statutes relating to the state judicial system.

Item 4. To provide for indigent defendants counsel in capital cases.

Item 5. To pay fees of special counsel who may be employed by the Governor, on recommendation of the Attorney General, and to pay other expenses in special cases of litigation involving the state. In matters involving the Tennessee Regulatory Authority, Housing Development Agency, Wildlife Resources Agency, financial institutions, regulatory boards and other programs and agencies funded by earmarked or dedicated revenues, the sum sufficient appropriation shall be provided from said earmarked or dedicated revenues. In matters involving departments, agencies and/or programs funded in whole or in part with federal aid and/or departmental revenues and reserves, the sum sufficient appropriation may be provided in whole or in part from said revenues and reserves.

Item 6. To the Administrative Office of the Courts from the "Divorcing Parent Education and Mediation Fund" to administer and fund the provisions of Tennessee Code Annotated, Section 36-6-413(b)(5).

Item 7. To the Attorney General and Reporter from the False Claims Act Fund established pursuant to Tennessee Code Annotated, Section 4-18-104(j). The Commissioner of Finance and Administration is authorized to adjust the appropriation made under Section 1, Title III-1, Item 1.1, of this act to recognize any reimbursement for expenses already provided.

Item 8. To the Registry of Election Finance from the lobbyist registration fees collected by the agency.

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Item 9. To provide for payment of administrative law judge services. The Commissioner of Finance and Administration is authorized to allocate the funds to the appropriate organizational units and to adjust departmental revenues accordingly.

Item 10. To the Tennessee Local Development Agency a sum sufficient from the Underground Storage Tank Fund for the purpose of paying debt service and expenses in connection with any debt issued pursuant to the provisions of Chapter 444, Public Acts of 1997, relative to underground storage tanks.

Item 11. To the Health Facilities Commission a sum sufficient from revenues collected by the agency for the purpose of paying indirect costs allocated to the agency and to pay audit costs.

Item 12. To the Department of Finance and Administration to provide for payments to the State Office Buildings and Support Facilities Revolving Fund for spaces occupied by the Tennessee State Museum and for other areas within the Tennessee Performing Arts Center.

Item 13. To the Office of Information Resources from the general obligation bonds/notes authorized under Chapter 930, Public Acts of 1992; Chapter 850, Public Acts of 1994; and Chapter 952, Public Acts of 1996 for data processing services and telecommunications services.

Item 14. To the Department of Finance and Administration to reimburse the federal government for arbitrage on the state's general obligation debt.

Item 15. To the Department of Finance and Administration from the litigation tax imposed by Chapter 901, Public Acts of 1998, to fund grants to local governments to purchase and maintain electronic fingerprint imaging systems. It is the legislative intent that the appropriations for this purpose be adjusted to equal the available earmarked revenue.

Item 16. To the Department of Finance and Administration from the revenues allocated to the domestic violence community education fund under the provisions of Tennessee Code Annotated, Section 36-3-616.

Item 17. To the Department of Veterans Affairs for operation of cemeteries to offset any undercollection of departmental revenues appropriated in Section 4, Title III-2, Item 5 of this act. This appropriation shall be non-recurring.

Item 18. To the Department of Agriculture from revenues available to the Agricultural Resources Conservation Fund under the provisions of Tennessee Code Annotated, Section 67-4-409(l).

Item 19. To the Department of Agriculture from the Agricultural Regulatory Fund under the provisions of Tennessee Code Annotated, Title 43, Chapter 1, Part 7.

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Item 20. To the Department of Agriculture from the Certified Cotton Growers' Organization Fund under the provisions of Tennessee Code Annotated, Title 43, Chapter 6, Part 4.

Item 21. To the Department of Agriculture from the Tennessee Grain Indemnity Fund under the provisions of Tennessee Code Annotated, Title 43, Chapter 32, Part 2.

Item 22. To the Department of Agriculture, Market Development, from the Agricultural Development Fund under the provisions of Tennessee Code Annotated, Section 55-4-267.

Item 23. To the Department of Environment and Conservation from revenues available to the Local Park Land Acquisition Fund and to the State Lands Acquisition Fund and the State Lands Compensation Fund under the provisions of Tennessee Code Annotated, Sections 67-4-409(i) and 67-4-409(j).

Item 24. To the Department of Environment and Conservation for the state parks program from any revenues derived from non-profit support groups authorized under Chapter 40, Public Acts of 1993.

Item 25. To the Department of Environment and Conservation from the Petroleum Underground Storage Tank Fund.

Item 26. To the Department of Environment and Conservation, Environmental Protection Fund, from revenues and reserves available to the fund and departmental revenues shall be adjusted accordingly.

Item 27. To the Department of Environment and Conservation from the Solid Waste Management Fund.

Item 28. To the Department of Environment and Conservation from the Hazardous Waste Remedial Action Fund.

Item 29. To the Department of Environment and Conservation from the Used Oil Collection Fund established pursuant to Tennessee Code Annotated, Section 68-211-1004.

Item 30. To the Wildlife Resources Agency from revenues available to the Wetlands Acquisition Fund and the Wetlands Compensation Fund.

Item 31. To the Wildlife Resources Agency from the general fund for any difference between the actual charges to the agency under the indirect cost allocation plan and the facilities revolving fund and the amounts the TWRA can justify and continue to receive federal funds.

Item 32. To the Wildlife Resources Agency from its own revenues to implement the programs, activities and projects approved by the Wildlife Resources Agency Commission. The Commissioner of Finance and Administration is authorized to adjust departmental revenue accordingly and to establish positions as may be required.

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Item 33. To the Department of Economic and Community Development, Small and Minority-Owned Telecommunications Business Assistance Program, from funds allocated to the program under the provisions of Tennessee Code Annotated, Section 65-5-213.

Item 34. To the Department of Commerce and Insurance to purchase examinations for regulatory boards. This appropriation is contingent upon the fees collected for giving examinations being in excess of the budgeted estimates.

Item 35. To the Department of Commerce and Insurance, 911 Emergency Communications Fund, from the revenues collected under the provisions of Tennessee Code Annotated, Title 7, Chapter 86 to implement the purposes of the Chapter.

Item 36. To the Department of Military to provide for the cost of personnel and equipment needed to maintain law and order in instances arising out of civil disorders.

Item 37. To the Department of Military, Disaster Relief Grants, and to the Department of Human Services, Disaster Relief, for the purpose of matching federal funds and to the Department of Military to pay the administrative costs of the Disaster Relief Program. Said appropriations shall be made first from the Reserve for Disaster Relief and they are in addition to the appropriation made in Section 1, Title III-21, of this act. Federal aid and other departmental revenue may be adjusted accordingly.

Item 38. To the Department of Health from the "Nursing Home Resident Protection Trust Fund" under the provisions of Tennessee Code Annotated, Section 68-11-827.

Item 39. To the Department of Health from funds available under the Health Access Act of 1989, Tennessee Code Annotated, Sections 66-29-121 and 66-29-151.

Item 40. To the Department of Health from the "Child Safety Fund" to administer and fund the provisions of Tennessee Code Annotated, Section 55-9-602(f)(7).

Item 41. To the Department of Health from the "Alcohol and Drug Addiction Treatment Fund" to administer and fund the provisions of Tennessee Code Annotated, Section 40-33-211(c)(2).

Item 42. To the Department of Health from the Traumatic Brain Injury Fund to allow for the provision of enhanced and/or new services which benefit traumatic brain injury persons and their families as authorized in Tennessee Code Annotated, Title 68, Chapter 55. Any additional appropriations provided under this item would be on a non-recurring basis from carry-forward funds which exist in the Traumatic Brain Injury Fund and would be subject to approval of the Commissioner of Finance and Administration.

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Item 43. To the Department of Health, Health Related Boards, and to the Department of Commerce and Insurance, Division of Regulatory Boards, for data processing systems development and implementation. Said appropriations are subject to the provisions of Tennessee Code Annotated, Section 4-3-1011.

Item 44. To the Department of Human Services for administration of the Child Care Facilities Loan Guarantee Program. Said appropriation shall come from interest earnings allocated to the program under the provisions of Tennessee Code Annotated, Section 4-37-110.

Item 45. To the Department of Revenue to pay interest, attorney fees and other costs which are due with certain taxpayer refund payments.

Item 46. To the Tennessee Bureau of Investigation from the dedicated revenues and departmental revenues collected pursuant to Tennessee Code Annotated, Section 40-32-101(d), for the purpose of establishing and maintaining the expunged criminal offender and pretrial diversion database.

Item 47. To the Department of Safety (a) from the Motorcycle Rider Safety reserve fund under the provisions of Tennessee Code Annotated, Section 55-51-104; (b) from the Driver Education reserve fund under the provisions of Tennessee Code Annotated, Section 67-4-606(2)(B); and (c) from the C.I.D. Anti-Theft reserve fund under the provisions of Tennessee Code Annotated, Section 55-3-208.

Item 48. To the Department of Transportation for payments to the Claims Award Fund. Said appropriation shall be made from the highway fund balance.

Item 49. To the Department of Transportation, Division of Air, Water and Rail, from the Transportation Equity Fund. This appropriation is subject to the availability of revenue in the fund.

SECTION 9. In addition to the appropriations made in Section 4 of this act and subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51, there is hereby appropriated a sum sufficient:

Item 1. To the Attorney General and Reporter, if the appropriation made in Section 4, Title III-1, Item 1.1, shall prove inadequate to allow the Attorney General and Reporter to represent the state agencies and officials before the Claims Commission, or state agencies and officials in other cases of litigation or other legal matters. The Commissioner of Finance and Administration, upon the request of the Attorney General and Reporter, is hereby authorized to increase the departmental revenue estimate by an amount sufficient to provide for such representation and to establish positions as may be required.

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Item 2. To the Attorney General and Reporter from the attorneys' fees and expenses of litigation awarded under the provisions of Tennessee Code Annotated, Section 67-1-1803(d), or any other fees and expenses awarded to the Attorney General and Reporter. The Commissioner of Finance and Administration is authorized to adjust the appropriation made under Section 1, Title III-1, Item 1.1, to recognize any reimbursement for expenses already provided. The Commissioner of Finance and Administration is authorized to establish positions as may be required.

Item 3. To the Attorney General and Reporter a sum sufficient from the Claims Award Fund for the purposes of implementing the provisions of Tennessee Code Annotated, Title 8, Chapter 42, relative to legal representation for state employees. The Commissioner of Finance and Administration, upon the request of the Attorney General and Reporter, is authorized to establish positions as may be required to implement the provisions of Tennessee Code Annotated, Title 8, Chapter 42.

Item 4. To the State Treasurer, with the concurrence of the Speaker of the Senate and the Speaker of the House of Representatives, for the purpose of developing and implementing programs designed to enhance investment performance, including programs designed to recruit and retain qualified investment staff.

Item 5. To the State Treasurer for payment of Unclaimed Property - Claims.

Item 6. From federal funds available to the Tennessee Housing Development Agency, there is hereby appropriated a sum sufficient to meet obligations incurred by the agency, pursuant to the federal Section 8 program.

Item 7. To Tennessee Rehabilitative Initiative in Correction Board (TRICOR), in an amount equal to the balance in the revolving fund, for benefit of the program.

Item 8. To the Tennessee State Museum from deferred revenue and departmental revenues available to the museum to be used for the purchase of artifacts.

Item 9. To the Department of General Services for equipment and supplies ordered but not delivered at June 30, 2002.

Item 10. To the Department of Environment and Conservation from monies received by the state in connection with oil overcharge judgments and earnings accruing thereon. This appropriation is for the purpose of supporting activities of the Solid Waste Management Fund, and it shall not revert at June 30, 2003, but shall remain available for expenditure.

Item 11. To the Department of Environment and Conservation, West Tennessee River Basin Authority, from funds provided by the counties within the authority area.

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Item 12. To the Department of Environment and Conservation from the Radiation Reclamation Trust Fund and the Perpetual Care Trust Fund under the provisions of Tennessee Code Annotated, Section 68-202-405.

Item 13. To the Department of Economic and Community Development to meet community development block grant expenditure requirements in the 2002-2003 fiscal year. This appropriation shall be from federal aid funds.

Item 14. To the Department of Economic and Community Development from monies received from conferences, trade missions, trade shows and other activities which reimburses the state for expenses.

Item 15. To the Department of Economic and Community Development from interest earnings allocated to the a) Tennessee Industrial Infrastructure Program (TIIP), b) Job Skills Fund, and c) Small Cities Community Development block grant (CDBG).

Item 16. To the Department of Commerce and Insurance, Division of Fire Prevention, for payment of electrical inspections. This appropriation is contingent upon the fees collected for making electrical inspections being in excess of the budgeted estimate.

Item 17. To the Department of Labor and Workforce Development from federal aid funds and other departmental revenues. Subject to this appropriation, authorized positions may be increased up to one hundred (100) positions.

Item 18. To the Department of Mental Health and Developmental Disabilities from revenue received from behavioral health organizations and other non-state organizations for inpatient mental health services provided for publicly funded or potentially publicly funded persons.

Item 19. To the Department of Military, TEMA and Disaster Relief Grants, and to the Department of Human Services, Disaster Relief, from federal aid disaster relief funds.

Item 20. To the Department of Safety, the Department of Revenue, the Tennessee Bureau of Investigation, the Tennessee National Guard and the Alcoholic Beverage Commission from the proceeds of property seized and forfeited under federal procedures which are shared with the departments or the commission.

Item 21. To the Department of Transportation from local government funds, federal aid and other departmental revenues.

SECTION 10. The appropriations made by this act under Sections 1 and 4 shall be subject to the following provisions, limitations, or restrictions:

Item 1. Notwithstanding any provision of the law to the contrary, any institution which receives state funds appropriated by the provisions of this act shall be subject to audit by the Comptroller of the Treasury as to the expenditure and obligation of such funds.

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Item 2. Any personal services, professional services or consultant services contracts concerning management services of all types, management studies, planning services, public relations, evaluations, systems designs, data processing, auditing or accounting services entered into by an executive department or agency of state government shall be executed by the head of such department or agency and shall be subject to approval by the Commissioner of Finance and Administration and the Comptroller of the Treasury. No funds appropriated under this act to a department or agency shall be used for such contracts unless such approval is received or is otherwise authorized by the approving officials. Any such contract entered into by agencies of the legislative or judicial branches shall be subject to the approval of the Comptroller of the Treasury.

Item 3. No funds appropriated by this act shall be obligated and/or expended for any newsletter, periodical, or other material which is to be distributed to all, or substantially all, state employees (excluding higher education) until the agency head proposing to make such distribution contacts the two Speakers and makes available equal space for legislative information in such newsletter, periodical, or other material. This item shall not apply to policy and/or procedural directives.

Item 4. From the funds appropriated to the TennCare program, the state shall comply with applicable federal law.

Item 5. During fiscal year 2002-2003 it is the legislative intent to encourage that all conferences, workshops, meetings, seminars, programs, and similar endeavors conducted for officials and/or employees of the legislative, executive, or judicial branch of state government be conducted in state facilities whenever practicable.

Item 6. From the appropriation for travel expenses of Justices of the Supreme Court and for the members of the Court of Appeals and the Court of Criminal Appeals, each member of said Courts shall be reimbursed for necessary traveling expenses incurred by them during their absence from the counties of their residence on official business; provided, however, that such travel expenses shall be limited to board and lodging and mileage each way necessary to travel on official business. Any judge seeking reimbursement for official expense under this section shall file with the Executive Secretary to the Supreme Court, or other official upon whom this duty may be lodged by law, a statement of such amounts necessarily expended by him in the discharge of such official duties and upon receipt of this verified statement, warrant for reimbursement for such expenses shall be issued.

Item 7. The Supreme Court shall fix the salaries of the marshals for the Eastern, Middle, and Western Divisions, which salary shall be payable out of the appropriations for Appellate Court Clerks.

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Item 8. The commission in charge of the Supreme Court Building in Nashville, established by Tennessee Code Annotated, Section 16-3-701, is authorized to employ an experienced Engineer-Superintendent to supervise the air-conditioning and heating of the Supreme Court Building at Nashville and to employ the necessary assistants to keep and maintain the building. Payment for said services shall be paid out of the appropriations made by this act.

Light, heat and water for the Supreme Court Building in Nashville and for the Supreme Court Building in Knoxville is to be provided by the Department of General Services out of the appropriation herein made for it.

Item 9. Employees of the office of the Executive Secretary to the District Public Defender's Conference, District Public Defenders and employees of a District Public Defender's Office, as created pursuant to Tennessee Code Annotated, Title 8, Chapter 14, shall only travel and shall be reimbursed for travel expenses in accordance with the provisions of the comprehensive travel regulations promulgated by the Department of Finance and Administration and approved by the Attorney General.

Item 10. The appropriation made in Section 1, Title III-1, Item 5.9 for the Tax Relief Program, is made for the purpose of providing tax relief for elderly low-income homeowners, disabled homeowners, and disabled veteran homeowners, as provided by law. The income eligibility limit for elderly low-income homeowners and for homeowners totally and permanently disabled shall be adjusted for the fiscal year 2002-2003 under the provisions of Tennessee Code Annotated, Sections 67-5-702 and 67-5-703.

Item 11. Notwithstanding any provision of the law to the contrary, from the appropriations made for the Department of the Treasury, there is hereby appropriated funds sufficient to defray the cost of administering, on behalf of state employees compensated on the centralized state payroll system, Tennessee Code Annotated, Title 8, Chapter 25, Part 1, the same being the "Government Employees' Deferred Compensation Plan Act", and Tennessee Code Annotated, Title 8, Chapter 25, Part 3, the same being the "Profit Sharing or Salary Reduction Plans for State Employees", and Tennessee Code Annotated, Section 8-25-501, the same being a "Cafeteria Benefits Plan" for state employees.

Item 12. From the appropriation made in Section 4, Title III-1, Item 8.2, Claims Award Reserve Fund, funds may be expended to contract with a third party for claims management services.

Item 13. The Commissioner of Finance and Administration is authorized to approve an adjustment in rates charged by the Office of Information Resources and to reserve any funds needed to rebate savings to the federal government and to reallocate state appropriations between departments and to adjust federal aid and other departmental revenue accordingly. Any adjustment of rates or reserve of funds pursuant to the provisions of this act shall be reported to the Information Systems Council.

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Item 14. Subject to the concurrence of the Commissioner of Finance and Administration, the Commissioner of Personnel is authorized to develop and implement a system whereby the cost of the Civil Service Commission and of services rendered to the Department of Personnel by the Administrative Procedures Division of the Department of State is recovered from those departments, boards and commissions to whom services are rendered.

Item 15. The funds appropriated in Section 4, Title III-3, to the Division of Forestry, shall include the proceeds from timber sales conducted by the Department of Agriculture. It is the legislative intent that said proceeds shall be accounted for as departmental revenue.

Item 16. From the appropriation made for the Department of Tourist Development, there is hereby appropriated a sum not to exceed twelve thousand five hundred dollars (\$12,500.00), sufficient to defray the cost of advertising and other expenses in connection with special events in which Tennessee is represented and/or events within the State for which Tennessee will act as official host. Any allotment of funds made under the authority of this section shall be made only on the approval of the Commissioner of Finance and Administration.

Item 17. From the appropriations made in this act, there shall be paid expenses incurred by the Department of Economic and Community Development and the Department of Tourist Development, representing the state in its official capacity; provided, however, that nothing herein shall authorize the expenditure by each agency for such purposes in excess of five thousand dollars (\$5,000.00) per annum. The amount and purposes of such expenses are subject to approval by the Commissioner of Finance and Administration.

Item 18. The revenues collected under the provisions of Tennessee Code Annotated, Title 67, Chapter 4, Part 16, are available to fund the appropriations made for the Solid Waste Assistance Fund in Section 1, Title III-5 of this act. The Commissioner of Finance and Administration shall allocate all of said revenues to the fund.

Item 19. From the appropriations made to State Prosecutions in Section 1, Title III-7, payments to reimburse counties for housing state prisoners shall not exceed \$35.00 per inmate per day. Provided, however, the \$35.00 per inmate per day limitation on reimbursement payments shall be inapplicable to the extent the state is obligated by the specific terms of a written contract to provide reimbursement at a rate in excess of \$35.00 per inmate per day, but only to the extent of that contractual obligation.

Item 20. Notwithstanding any provision of the law to the contrary, where a judicial proceeding is transferred from one jurisdiction to another for trial on a defendant's motion for change of venue, the limitation of five hundred dollars (\$500.00) for the board and lodging of the jury shall not apply, provided the Comptroller of the Treasury on the advice of the State Attorney General, determines that additional funds for boarding and lodging the jury are necessary.

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Item 21. The Department of Mental Health and Developmental Disabilities is authorized to expend up to one hundred fifty thousand dollars (\$150,000) in available funds for the purpose of implementing the provisions of Tennessee Code Annotated, Section 12-4-330, and such funds are specifically appropriated for that purpose.

Item 22. Within the amount appropriated in Section 1, Title III-17 and in Section 4, Title III-17 for Temporary Assistance to Needy Families, the Commissioner of Human Services shall establish by rule or regulation, pursuant to the provisions of Tennessee Code Annotated, Section 71-3-155, to be effective July 1, 2002, the standard of need for each family size in the Families First program; provided, the maximum grant for each family size will remain at the Fiscal Year 2001-2002 established level; and, provided further that the Commissioner of Human Services, in consultation with the Commissioner of Finance and Administration, may by rule to be effective on July 1, 2002, establish certain categories of Families First recipients to whom an additional grant differential for the family size up to a maximum of fifty dollars (\$50.00) per family may be paid.

Item 23. The appropriations to the Department of Revenue under Section 1, Title III-18, provide for all the activities of the department and include amounts in lieu of percentages allowed by law on collection of certain taxes and revenues; such percentage shall be covered into and made a part of the general fund. Appropriations also include amounts for motor vehicle registration and any other activities which may be administered by the Department of Revenue and/or the Department of Safety.

Item 24. The appropriation to the Tennessee Association of Rescue Squads in Section 1, Title III-21, is for the sole purpose of maintaining a state headquarters of the association and to pay the salary of an executive director of the association and other expenses appurtenant thereto.

Item 25. Notwithstanding any provision of the law to the contrary, the Department of Transportation shall not release or make available information which reveals the amount of funding available for any project.

SECTION 11. The appropriations made by this act under Sections 1 and 4 to the Department of Education shall be subject to the following provisions, limitations, or restrictions:

Item 1. The appropriation made in Section 1, Title III-9, Item 2.1c, for the Basic Education Program (BEP), shall be administered pursuant to the provisions of the Education Improvement Act (Public Chapter No. 535 of the Public Acts of 1992).

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Item 2. From the appropriations made to the Department of Education under Section 1, Title III-9, of this act, the Department of Education is authorized to pay through disbursements to local education agencies (LEAs), for the benefit of eligible local education employees and their dependents, an amount not to exceed forty-five percent (45%) of the total statewide cost, based on the Basic Education Program (BEP) formula, of such persons' participation in the basic accident and medical expense insurance plan authorized by Tennessee Code Annotated, Title 8, Chapter 27, Part 3.

Item 3. From the appropriation made to the Department of Education under Section 1, Title III-9, of this act, for technology programs, there is hereby earmarked a sum sufficient for the expenditures of the Web Project.

Item 4. From the amounts herein appropriated to the Department of Education in Section 1, Title III-9, Item 2.1c, the Basic Education Program, the sum of \$12,300,000.00 is for the purpose of making distributions during fiscal year 2002-2003 to local education agencies to address teacher salary equalization concerns identified by the Tennessee Supreme Court in Tennessee Small Schools, et al. v. Ned Ray McWherter, et al. These funds shall be distributed based upon the provisions of Tennessee Code Annotated, Section 49-3-366.

Item 5. Under the provisions of Tennessee Code Annotated, Sections 49-3-357 and 49-3-358 pertaining to interest accruing on investments and deposits to the Education Trust Fund and the Basic Education Program, it is the legislative intent that only interest earnings be recognized and that no interest expense be charged to the fund and the program.

Item 6. The Department of Education shall submit to the Office of Legislative Budget Analysis the revised BEP funding formula for the ensuing fiscal year no later than January 1 of each year.

SECTION 12.

Item 1. There is hereby appropriated the sum of three million dollars (\$3,000,000.00) to the Department of Human Services, which sum shall be in addition to all other appropriations made to the Department of Human Services and which sum shall be used for the sole purpose of increasing the amount available to social service contractors, as provided for in Tennessee Code Annotated, Title 71, Chapter 1, Part 2.

Item 2. It is the intent of the General Assembly that the Commissioner of Finance and Administration shall have the authority to promulgate, as public necessity rules pursuant to Tennessee Code Annotated, Section 4-5-209, those rules and regulations which concern the Medicaid/TennCare program and which require promulgation in order for the state to fiscally function (i) within the appropriations provided for the Medicaid/TennCare program or (ii) within the availability of revenues received for the Medicaid/TennCare program.

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Item 3. (a) There is hereby appropriated a sum sufficient from employer FICA tax savings from the § 125 Cafeteria Plan (Flexible Benefits Plan) to provide for the employer match to the State's 401(k) Plan for State employees compensated on the centralized state payroll system pursuant to the provisions of Tennessee Code Annotated, Title 8, Chapter 25.

(b) There is hereby appropriated a sum sufficient from employer FICA tax savings from the § 125 Cafeteria Plan (Flexible Benefits Plan) maintained by the University of Tennessee to provide for the employer match to the State's 401(k) Plan for employees of institutions under the University of Tennessee system pursuant to the provisions of Tennessee Code Annotated, Title 8, Chapter 25.

(c) There is hereby appropriated a sum sufficient from employer FICA tax savings from the § 125 Cafeteria Plan (Flexible Benefits Plan) maintained by the Board of Regents System to provide for the employer match to the State's 401(k) Plan for employees of institutions under the Board of Regents System pursuant to the provisions of Tennessee Code Annotated, Title 8, Chapter 25.

(d) The State Treasurer shall have the authority to contract with Optional Retirement Plan vendors to provide investment products to Optional Retirement Plan participants under the State's 401(k) program.

Item 4. There is appropriated to the State Treasurer the sum of one hundred thousand dollars (\$100,000) from the Criminal Injuries Compensation Fund for the purpose of granting the same to the Tennessee Victims Coalition pursuant to § 40-24-107(e); provided, the coalition submits to the State Treasurer a plan specifying the use of the moneys and such plan is approved by the State Treasurer. No funds appropriated in this item may be used for lobbying public officials.

Item 5. From the revolving account established in Tennessee Code Annotated, Section 9-4-803, the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed five hundred thousand dollars (\$500,000) to fund the budgeted operating expensess of the state pooled investment fund, the local government investment fund, and the old age & survivors insurance (OASI) program for the fiscal year ended June 30, 2002. This transfer is subject to the approval of the state treasurer.

SECTION 13. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. There is hereby appropriated from the Reserve for Casualty Losses, established under the provisions of Tennessee Code Annotated, Title 12, Chapter 3, Part 9, the necessary funds for payment of losses sustained under the annual aggregate deductible authorized by said law. The Commissioner of Finance and Administration is authorized to transfer any amounts herein appropriated to the capital projects fund, general fund, highway fund or other fund.

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Further, to the extent that appropriations are made from the Reserve for Casualty Losses in the fiscal year ending June 30, 2003, it is the legislative intent that said Reserve be established in the amount of not less than five million dollars (\$5,000,000.00), in addition to an amount necessary to fund any unpaid loss from a prior year. Sufficient funds are hereby appropriated to establish the Reserve in that amount.

SECTION 14. The appropriations made by this act and all other appropriations, including appropriations of departmental revenues as set forth in Section 4 of this act, except such as may be made for the expenses of the Legislative Branch, and the appropriations made for the Judiciary, including the Attorney General and Reporter, District Attorneys General, Public Defenders, and the Office of the Post-Conviction Defender, the Secretary of State, Comptroller of the Treasury and State Treasurer, shall be obligated and expended under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51, which shall remain in full force and effect; and in case of conflict with any other law, the provisions of such laws shall prevail, except as otherwise herein specifically provided. All appropriations except those made by acts authorizing bond issues and expenditures thereof and those excepted from obligations and expenditure hereinabove, though made by other statutes, shall likewise be obligated and expended under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

SECTION 15.

Item 1. No part of the fund appropriated to any department, office, instrumentality, or agency of the state government shall be expended in any other such entity, but if the head of any department, office, commission or instrumentality of the state government finds that there is a surplus in any classification, division, or unit under such entity, and a deficiency in any other division, unit or classification, then in that event the head of such department, office, commission or instrumentality of the state government may transfer such portion of such funds as may be necessary for the one division, unit or classification where the surplus exists to the other, except as otherwise provided herein, provided such transfer is approved by the Commissioner of Finance and Administration. Such transfer of funds pursuant to this item shall be subject to the approval of a majority of a committee composed of the Speaker of the Senate, the Speaker of the House and the Comptroller of the Treasury.

Item 2. The Commissioner of Finance and Administration may establish in any department, office, commission or instrumentality of the state government a clearing account through which all salaries and wages, including the state's portion of retirement, insurance, social security, etc., may be disbursed. In the event such accounts are established, department records shall be maintained showing the distribution of such amounts among the various appropriation codes, and any financial reports shall present expenditures as if such expenditures had been made through the individual appropriation accounts.

Item 3. The Commissioner of Finance and Administration shall have power and authority to refuse, with the approval of the Governor, to approve or honor any and all requisitions for purchases, except requisitions for purchases authorized by the Legislative Branch, including the Secretary of State, Comptroller of the Treasury and State Treasurer, and the Judiciary, including the Attorney General and Reporter. In case any division or function of government for which an appropriation is provided in this act or otherwise, shall be transferred from an existing department, to any other department, such transfer shall automatically result in the appropriation for such transferred division or function becoming available to the department to which such transfer is made for the purposes of such transferred division or function.

Item 4. From the appropriations made to the various state departments and agencies under this act, and other general acts appropriating money, there may be paid any expenses incurred by said departments and agencies for the purpose of conducting and serving as host for regional or national conferences of which such departments or agencies may be members. Before any funds shall be expended under this authorization, the amount and purpose of the proposed expenditure shall be approved by the Commissioner of Finance and Administration.

Item 5. Notwithstanding any provision of law to the contrary, no state department or agency in the Executive Branch of state government is authorized to make organizational changes within such department or agency without the prior approval of the Commissioner of Finance and Administration. Where such organizational changes require a transfer of funds between organizational accounts and are contrary to the manner in which appropriations have been made herein, approval of said transfers is subject to approval by the Commissioner of Finance and Administration and by a majority of a committee composed of the Speaker of the Senate, the Speaker of the House and the Comptroller of the Treasury.

Item 6. The Commissioner of Finance and Administration is authorized to draw-down disputed federal funds and to reserve the funds to prevent their expenditure until the dispute is settled; and the Commissioner of Finance and Administration in consultation with the State Treasurer is authorized to allocate interest earnings on the draw-down of disputed federal funds and to pay interest earnings to the federal government in those instances when expenditures are ultimately disallowed.

Item 7. The Commissioner of Finance and Administration is authorized to impose a reasonable real estate transaction fee on all real estate transactions when the transaction is processed through the Department of Finance and Administration. Said fee structure shall be subject to approval by the State Building Commission.

Subject to the approval of the State Building Commission, there is hereby appropriated a sum sufficient to replace any real estate transaction fees that are waived.

Item 8. The Commissioner of Finance and Administration and the State Treasurer, with approval of the State Comptroller, shall develop and implement a policy to recover state funds and the state's costs associated with checks, warrants, drafts, and electronic funds transfers deposited to a state account that are subsequently returned unpaid by the drawer's bank.

Item 9. The Commissioner of Finance and Administration is authorized to maintain an indirect cost recovery plan to recognize overhead costs associated with the operations of the Tennessee Regulatory Authority, Wildlife Resources Agency, Department of Financial Institutions, Housing Development Agency and the regulatory boards and commissions not under the administration of the Department of Commerce and Insurance or the Department of Health. The Commissioner is further authorized to charge the departments and agencies covered by the indirect cost recovery plan for their individual overhead costs.

Item 10. The Commissioner of Finance and Administration is authorized to establish a state regulatory fee not to exceed \$5.00 for one year and \$10.00 for two years. The fee shall be in lieu of any allocation of indirect costs which would otherwise be allocated to the regulatory boards covered by the provisions of Tennessee Code Annotated, Section 4-3-1011(b)(2).

Item 11. If any appropriation in this act fails to designate a department or agency of state government to be responsible for the administration of the appropriation, then the Commissioner of Finance and Administration is hereby directed to designate the state department or agency to administer the appropriation.

Unless otherwise directed by language in this act, appropriation grants to agencies outside of state government shall be administered in such manner as the Commissioner of Finance and Administration shall determine. Direct appropriation grants for the benefit of agencies outside of state government may be administered by the Department of Finance and Administration.

Item 12. For the purposes of this item, the term "chief fiscal officer" shall mean the position within a state agency that has overall daily responsibility for the oversight of the fiscal operation for that agency. The Commissioner of Personnel in consultation with the Commissioner of Finance and Administration shall designate and classify position(s) within each agency of the Executive Branch of state government as chief fiscal officer(s) for that agency. Qualifications and appointments to fill existing or future vacancies shall be in accordance with procedures established by the Commissioner of Personnel with the approval of the Commissioner of Finance and Administration.

Item 13. From the appropriations made in this act to pay the salaries of state employees who are hired on or after July 1, 2002, the Commissioner of Finance and Administration is authorized to require that those salaries be paid through direct-deposit procedures.

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Item 14. The Commissioner of Finance and Administration is hereby authorized to adjust departmental revenue and reserve estimates and related expenditures: (a) for internal service funds and enterprise funds to record fees received for services provided to departments, agencies, boards, and commissions and (b) to record payment for services provided to state agencies by another state agency.

Item 15. The Commissioner of Finance and Administration is hereby authorized to adjust departmental revenue and related expenditures to recognize (a) the carry-over of federal funds and other departmental revenues that were budgeted and allotted but unexpended or unobligated at June 30; (b) an increase in the federal rate of reimbursement or match in federal programs so that there is less state expense or the additional federal funds are available to meet increasing costs without improving programs; and (c) an unexpected increase in federal grant funds so that there is less state expense or the additional federal funds are available to meet increasing costs without improving programs.

Item 16. The Commissioner of Finance and Administration is hereby authorized to adjust the estimates of federal block grant funds and other federal grant-in-aid funds estimated in Section 4 and Section 31 of this act to reflect the actual allocations of federal revenues made available to the State of Tennessee by the federal government.

SECTION 16.

Item 1. Each department, division or agency for the benefit of which an appropriation is made herein and which participates in the Consolidated Retirement System, shall pay from such appropriation monthly such sums as may be due such Consolidated Retirement System as the state's contribution from such department, division or agency.

Item 2. The appropriation in Section 1, Title III-21, to the Consolidated Retirement System of the State of Tennessee in the amount of \$7,800,000 is for retirement contribution for certain county officials and county judges. It is the legislative intent that the appropriation equal revenue collected and apportioned under the provisions of Tennessee Code Annotated, Title 67, Chapter 4, Part 6 and Tennessee Code Annotated, Section 8-37-604, for county judges and county officials, and the Commissioner of Finance and Administration shall increase or decrease the appropriation for those officials accordingly.

Item 3. The appropriation in Section 1, Title III-21, to the Consolidated Retirement System of the State of Tennessee in the amount of \$125,000 is for retirement contribution for certain General Sessions Judges. It is the legislative intent that the appropriation equal revenue collected and apportioned under the provisions of Tennessee Code Annotated, Title 67, Chapter 4, Part 6, for General Sessions Judges, and the Commissioner of Finance and Administration shall increase or decrease the appropriation for those judges accordingly.

Item 4. The State Treasurer, with the approval of the Commissioner of Finance and Administration, shall have authority to transfer any increase in the appropriation for county officials' and county judges' retirement contributions between the organizational units or programs benefiting from said appropriations. Such transfers shall be limited to the appropriations made for judicial and administrative officials of county governments, provided, however, that the State Treasurer, with the approval of the Commissioner of Finance and Administration, shall have authority to consolidate the assets of the retirement plans for elected and appointed officials for accounting and funding purposes. Such consolidations shall be limited to retirement plans with common employers.

Item 5. Whenever any law relating to retirement matters is passed by the General Assembly which does not affirmatively state that it has application to participating political subdivisions and it is subsequently determined by the retirement division that such act or provision thereof mandates increased liability to a participating political subdivision within the meaning of Article II, Section 24, of the Tennessee Constitution, compliance with the provisions of such act or acts shall be optional to the political subdivision. Upon discovery by the retirement division that an enactment increases liabilities to the local governments, notice of the effect of such enactment shall be given to the governing body by the retirement division within a reasonable time after discovery. The governing body of each political subdivision shall upon notification of the effect of the law, advise the retirement division of its desire to be covered by the provisions of the act within four (4) months of the date of notice. All participating political subdivisions which do not elect to be covered by the provisions of the enactment shall be excluded from the provisions thereof.

SECTION 17.

Item 1. From the appropriations made herein, the various departments, agencies, boards and commissions of state government shall pay on behalf of each participating employee within the respective departments, agencies, boards and commissions, not less than seventy percent (70%), nor more than eighty percent (80%) of the cost of each individual's participation in the basic group medical insurance program and one hundred percent (100%) of the cost of twenty thousand dollars (\$20,000.00) of basic term life insurance coverage and forty thousand dollars (\$40,000.00) of basic special accident insurance coverage for each participating employee; such basic medical, life and accident insurance program to be established pursuant to Tennessee Code Annotated, Title 8, Chapter 27, Part 2.

Item 2. From the appropriations made herein the Department of Military is hereby authorized to pay, on behalf of each participating national guardsman called up to state active duty, the cost of each individual's participation in the state-approved Group Life Insurance Plan for national guardsmen called up to state active duty. The provisions of Tennessee Code Annotated, Title 8, Chapter 27, Part 2, shall apply.

Item 3. The State Insurance Committee shall establish and maintain, within the appropriations made in this act for supplemental medical insurance for retired state employees and retired teachers and in accordance with Tennessee Code Annotated, Section 8-27-702, the respective contribution levels to be made by the state on behalf of the eligible participating retirees. The annualized contribution rate established by the Committee for the eligible participating employees shall not exceed the amount appropriated in this act, and the rate established is subject to approval by the Commissioner of Finance and Administration.

Item 4. It is the legislative intent that the State Insurance Committee establish a schedule of premium payments for retirees participating in the group insurance plan under the provisions of Tennessee Code Annotated, Section 8-27-205(b).

Item 5. The Commissioner of Finance and Administration is hereby authorized to establish positions and make appropriate adjustments to the Insurance Administration budget to reflect changes in the contractual arrangements for medical and other insurance coverage provided to state insurance plan participants. The establishment of additional positions and the allotment of additional departmental revenue are subject to approval by the State Insurance Committee.

SECTION 18. From the appropriations made by this act, claims for official travel expenses of state employees and members of boards and commissions, notwithstanding any provision of the law to the contrary, shall be subject to the provisions of comprehensive travel regulations as approved by the Attorney General and the Commissioner of Finance and Administration under the provisions of Tennessee Code Annotated, Section 4-3-1008.

SECTION 19. Whenever similar or duplicate appropriations are made in this act to those carried in any other act, such appropriation herein shall not be deemed as a supplemental appropriation, it being the legislative intent that there shall be no overlapping appropriations for equivalent amounts; but if this act simply supplements the appropriations made by the other act, then such supplemental appropriation shall be valid. The same shall apply to similar or duplicate appropriations made solely within this act.

SECTION 20. Notwithstanding the provisions of Tennessee Code Annotated, Title 54, Chapter 2, Part 2, to the contrary, whenever the State of Tennessee has any surplus lands or other surplus real properties which are sold or conveyed during the fiscal year ending June 30, 2003, the proceeds from the sale of such lands or other real property shall be subject to the provisions of Tennessee Code Annotated, Section 12-2-112.

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SECTION 21. The Board of Standards, may, if it considers such action in the interest of the state, authorize the Director of Purchasing to negotiate for the purchase of computer programs and associated software systems without following the procedures set out in Tennessee Code Annotated, Title 12, Chapter 3, relative to requisitioning and the receipt of bids. Such purchases shall be made at and for the best possible price, and each such purchase shall be confirmed by the Board of Standards before becoming effective. This exception shall not apply to the purchase of computer equipment machinery or associated hardware, but the same shall continue to be acquired in accordance with the procedures set out in Tennessee Code Annotated, Title 12, Chapter 3.

SECTION 22. Notwithstanding the provisions of Tennessee Code Annotated, Title 66, Chapter 29, warrants, drafts, and checks drawn on the State Treasury that have not been redeemed within twelve months of issue date shall be cancelled and written off the state's books with the funds reverting to the fund of issue. Subsequent claims by the payee of said instruments, shall be honored upon receipt of documentation to substantiate the claim. The Commissioner of Finance and Administration and the State Treasurer shall develop a plan to ensure the state's compliance with the unclaimed property law.

SECTION 23. It is hereby declared to be the legislative intent that the Commissioner of Finance and Administration revise the funding recommendations and personnel summaries contained in the Budget Document to conform with this act, other general acts of this Session and any other actions which affect the level of departmental or other such revenue. Said revised summaries shall be provided to the Office of Legislative Budget Analysis, Finance, Ways and Means Committees of the Senate and House of Representatives and to the Office of the Comptroller of the Treasury and Fiscal Review Committee. The Commissioner of Personnel shall submit a monthly report to the office of legislative budget analysis regarding positions that have been overlapped for ninety (90) days or more. In addition, the budget as introduced shall indicate the number of positions overlapped on the date of introduction.

In establishing allotments from the appropriations herein made, the Commissioner of Finance and Administration may establish total spending authorizations in the amount of the specific appropriation from state revenues herein made, plus the estimated federal and departmental revenues estimated to be available as presented in the revised funding summaries cited above. In the event federal and departmental revenues for any particular program, appropriation code, or other classification are less than the amount estimated to be available under the allotments then and to that extent the spending authorizations are hereby reduced; to the extent that federal or departmental revenues in excess of the amounts allotted are realized, such excess shall not constitute increased spending authorizations, except under the conditions herein specified.

In establishing the allotments herein authorized, the Commissioner of Finance and Administration shall divide the total spending authorizations by allotment code, into two subdivisions, as follows:

1. Personal Services and Benefits
2. Other Operating Expenses

No state agency shall establish new programs nor expand programs, including any programs involving federal or other funds, beyond the scope of those already established, recognized and approved by the legislature, as reflected in the revised summaries cited above, until the program and the availability of the money is submitted by the Commissioner of Finance and Administration to the Finance, Ways and Means Committee chairmen and until said committee chairmen have acknowledged in writing receipt thereof, to the Commissioner of Finance and Administration. Provided, however, that capital outlay program projects and the availability of funding shall be submitted to the State Building Commission to be acknowledged.

SECTION 24.

Item 1. Notwithstanding any provision of the law to the contrary, the heads of the respective departments for which appropriations are made in Section 1, Titles I, II, III-1, Items 1, 3, 5, and 7, are authorized to revise their respective budgets and personnel authorizations within the appropriations made in Sections 1 and 4 of this act and to submit those revised summaries to the Commissioner of Finance and Administration, who shall incorporate them into the revised funding recommendations and personnel summaries and allotments and spending authorizations required by Section 23 of this act.

Item 2. All funds appropriated in Section 1, Title III-1, Items 3, 5 and 7 and in Section 4, Title III-1, Items 3, 5 and 7 shall be administered in a ministerial capacity by the Department of Finance and Administration in accordance with budgets and any revisions thereto of the respective entities for which such appropriations are made. Such budgets and any revisions thereto shall be subject to the concurrence of the Speaker of the Senate and Speaker of the House of Representatives.

SECTION 25. Except where sovereign immunity has been or shall hereafter be expressly waived by the General Assembly, all appropriations of state revenues and departmental revenues made in this act and in prior acts to the state, its departments, agencies, boards, educational institutions, instrumentalities, and incorporated entities performing the state's governmental functions shall be state funds and shall be protected by the state's sovereign immunity from every court's judgment, decree, attachment, or other legal process; provided, however, that any statutory or other provision authorizing an agency, board, or entity to sue and be sued shall not constitute a waiver of sovereign immunity.

SECTION 26. From the appropriation made for the General Assembly under Section 1, Title 1, payment shall be made for, but not limited to, the following items:

1. Any lawful expenses of the One Hundred Second General Assembly, for which funds have not been obligated on June 30, 2002, such funds herein appropriated as are required may be made available during the fiscal year ending June 30, 2002.
2. The lawful expenses of the One Hundred Second General Assembly.

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3. The cost of staffing, maintaining and operating the offices of the Speaker of the Senate and the Speaker of the House of Representatives, including necessary travel and other expenses incident to said offices, not covered by Title I, Items 3 and 4, of this act.

4. Such expenses as may be incurred for maintaining legislative facilities including the maintenance and staffing and such other expenses as may be necessary to provide offices and other services to members of the General Assembly and their staff in state facilities in Nashville.

5. Expenses and travel pay to legislators for each day when attending conferences, workshops, and other official meetings, both within and without the State of Tennessee, when said travel is approved by the Speaker of the Senate and/or the Speaker of the House of Representatives. Payments shall be at the same rate provided for members of the standing committees of the General Assembly when meeting between sessions. Provided, further, that reimbursement may be made to legislators for registration fees incurred while attending conferences and meetings as may be approved by the Speaker of the Senate and/or the Speaker of the House of Representatives.

6. Expenses and travel pay allowed to members of the Joint Legislative Services Committee as authorized under Tennessee Code Annotated, Section 3-1-106, and to members of the Fiscal Review Committee, as authorized under Tennessee Code Annotated, Section 3-7-102.

7. The Speakers may transfer to the Office of Legislative Services and the Office of Legal Services for the General Assembly and to the Fiscal Review Committee sufficient funds to enable them to complete all studies assigned to them by the One Hundred Second General Assembly, and to furnish such help as may be required by standing, select and joint committees of the General Assembly.

8. Membership dues to the National Conference of State Legislatures, similar service organizations, and such other conferences as may be approved by the Speaker of the Senate and the Speaker of the House of Representatives. Such payments may be made quarterly or in accordance with other partial payment plans.

9. Any expenditures for legislative purposes called for by resolutions or joint resolutions properly adopted by either or both Houses of the General Assembly.

10. Payment of expenses to any member, as provided by law, for attendance at any meeting of any standing, special, or select committee of the General Assembly, whether such meeting occurs during or between sessions of the General Assembly. Such expenses for meetings held between sessions shall be paid at the same rate as provided in the general law for meetings held while the General Assembly is in session.

11. In addition to appropriations made under Section 1, Title I, there is hereby appropriated a sum sufficient to cover any increase automatically occurring under mandate of law in any compensation, benefits, or expenses funded under Section 1, Title I.

All items listed above, together with any other expenses for the General Assembly, upon the approval of the Speaker of the Senate and/or the Speaker of the House of Representatives, shall be paid through the Office of Legislative Administration, who shall also be authorized to make arrangements for, and incur obligations incident to, any convening of the One Hundred Second General Assembly, including but not limited to such items as contracts for the reproduction of bills, the printing of a daily legislative service, and the Tennessee Legislative Record.

Provided, further, that during any period when the Offices of the Speaker of the Senate or the Speaker of the House of Representatives are vacant, or otherwise upon authority of the Speakers, the Director of the Office of Legislative Administration is hereby authorized to do any act which the Speaker might do under the provisions of this section.

The provisions of the section shall not be construed to countermand any general act passed by the One Hundred Second General Assembly.

SECTION 27. The Speaker of each House of the General Assembly shall be paid from funds appropriated to the General Assembly the following sums:

Seven hundred fifty dollars (\$750.00) for their ex officio services during any session of the General Assembly; plus the sum of five thousand seven hundred dollars (\$5,700.00) annually for local office expenses in their county of residence which will be in addition to the cost of maintaining and operating offices in the State Capitol. In addition, each Speaker shall be allowed the same amount for expenses and travel pay as that provided for members of the standing committees of the General Assembly when meeting between sessions, for attending meetings of standing, select, or joint committees of the General Assembly or when absent from their county of residence on official duty as Speaker. When the Speaker, Majority Leader, Senate Floor Leader or House Majority Whip travel by conveyance owned by such person, travel pay may be allowed on the basis of actual cost.

The allowance for ex officio duties authorized by this section shall be paid at the request of each Speaker at any time after adjournment of a session. The amount authorized hereby for local office expenses shall be paid annually on or after November 1st of each year at the request of each Speaker. Requests for payments shall be addressed to the Director of the Office of Legislative Administration and need not be accompanied by a list of expenditures for which allowances the reimbursements are claimed. Payments for attending meetings between sessions or when absent from county of residence shall be paid from time to time on request of each Speaker.

SECTION 28. In order to prevent duplication of effort and to establish professional standards, audits to be performed by internal audit staffs or grantees of departmental activities funded from appropriations made in this act shall be coordinated with the Office of the Comptroller of the Treasury, and such reports as may be issued shall be prepared in accordance with standards established as required by law by the Comptroller of the Treasury. No department, agency, institution, board, or commission shall cause internal auditing to be performed by persons who do not meet the job specifications for internal auditors established by the Commissioner of Personnel and approved by the Commissioner of Finance and Administration.

SECTION 29. The appropriations to public institutions of higher education set forth in Section 1 of this act shall be subject to the conditions and limitations set forth in this section, and shall not be subject to other provisions of this act except as otherwise expressly stated.

Item 1. Salaries to be paid from the appropriations made to educational institutions shall be fixed as follows:

The President and the staff of the University of Tennessee, by the Board of Trustees; the Presidents and staffs of the institutions within, and the Chancellor and staff of, the State University and Community College System of Tennessee, by the Board of Regents; and the Directors and staffs of the technical institutes and the technology centers by the Board of Regents; all of which shall be within the appropriations provided and available for said purposes.

Item 2. It is the intent of the General Assembly that higher education institutions, including the Tennessee Technology Centers, expend for maintenance and operations of the physical plant, exclusive of utilities, at least the amount included in the formula recommendation for that purpose, prorated to reflect actual funding levels appropriated in this act. Each institution shall report to the Commissioner of Finance and Administration the actual amount of expenditures for maintenance and operation of the physical plant, exclusive of utilities, for the fiscal year.

Item 3. All institutional revenues of any kind collected by the institutions in the course of their operations for their own use are hereby appropriated to the institutions in addition to the specific appropriations made by this act.

Item 4. It is the intent of the General Assembly that there shall be consistent fee charges among the public institutions of higher education of the state, subject to the nature and scope of the institutions, and that the State Board of Regents and the Board of Trustees of the University of Tennessee shall consult with the Higher Education Commission before establishing the fee schedules for the universities, community colleges, technical institutes and technology centers.

Item 5. The appropriations herein for higher education and appropriations of all higher education departmental and institutional revenue are subject to the provisions of Tennessee Code Annotated, Title 9, Chapter 4, and subsections (4) and (5) of Tennessee Code Annotated, Section 4-3-1006. Within the general requirements of these provisions, the Commissioner of Finance and Administration, in consultation with the Comptroller of the Treasury and the Higher Education Commission, shall specify the content and procedures for submitting operating budgets and revisions thereto. The operating budgets shall be submitted to the Higher Education Commission by the respective governing boards. The Higher Education Commission shall then submit such operating budgets with their comments to the Department of Finance and Administration for approval. In addition, the appropriations in this act to institutions of higher education shall be subject to the requirements, restrictions and controls of the State Board of Claims and the State Building Commission in the same manner as other agencies of the state. The governing boards shall submit to the Office of Legislative Budget Analysis both the original and revised operating budgets proposed. The Tennessee Higher Education Commission shall submit to the Office of Legislative Budget Analysis the revised higher education funding formula for the ensuing fiscal year no later than December 1 of each year.

Item 6. From the appropriations made herein, institutions of higher education are hereby authorized to pay, on behalf of each participating employee, a percentage amount equal to the amount paid by other agencies of the state of the cost of each employee's participation in the state-approved Group Insurance Plan for state employees.

Item 7. Except where sovereign immunity has been or shall hereafter be expressly waived by the General Assembly, all appropriations of state funds and institutional revenues made in this act and prior acts to institutions of higher education shall be state funds and shall be protected by the state's sovereign immunity from any court's judgment, decree, attachment, or other legal process, provided that any statutory or other provision authorizing any entity to sue and be sued shall not constitute a waiver of sovereign immunity.

Item 8. The appropriation in Section 1, Title III-21, Miscellaneous Appropriations, for State School Bond Authority - Debt Service, in the amount of forty thousand, three hundred dollars (\$40,300.00) is for benefit of education institutions with academic buildings funded through the State School Bond Authority which are listed in Chapter 858, Public Acts of 1972.

Item 9. From the appropriations made in this act and other appropriations acts, the budgetary units in higher education shall pay to the Division of Retirement, Department of the Treasury, the employer's share of retirement and social security costs including the additional benefit costs associated with pay raises funded from fees, revenues, payroll savings or any other funding source.

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Item 10. The appropriations in this act for Centers of Excellence and Campus Centers of Emphasis are subject to allocation by the Higher Education Commission and the Commissioner of Finance and Administration. In allocating the appropriation for Centers of Excellence, a consideration shall be planned reductions to existing expenditures to supplement funding for the centers. The obligation and expenditure of funds appropriated for Centers of Excellence shall be subject to oversight by the special joint committee of the General Assembly created pursuant to the provisions of the Comprehensive Education Reform Act of 1984.

Item 11. From the funds appropriated in Section 1, Title III-10, the Tennessee Higher Education Commission is authorized to allocate the desegregation funds among the various institutions and entities to insure the most effective use of those funds.

Item 12. The Higher Education Commission is hereby authorized to collect fees for the use of its video conferencing facilities and is appropriated a sum sufficient from fees collected for this purpose. Such fees shall be utilized solely for the purpose of replacing equipment in the facility. Any unexpended balance as of June 30, 2003, shall not revert to the general fund and is hereby reappropriated in the 2003-04 fiscal year.

Item 13. From the appropriation to the Tennessee Higher Education Commission in Section 1, Title III-10, for desegregation activities and community service grants, any unexpended balance at June 30, 2003, shall not revert to the general fund balance and is hereby reappropriated in the 2003-04 fiscal year.

Item 14. There is hereby appropriated a sum sufficient to pay insurance claims filed by lending institutions under the provisions of the Federal Family Education Loan Program and the costs associated with administering that program. Provided, however, such payments shall be made and such costs shall be paid from funds and reserves received and maintained by the Tennessee Student Assistance Corporation for the Federal Family Education Loan Program and the State of Tennessee shall in no way be liable for such claims.

Item 15. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Student Assistance Corporation all reserve balances now held by the Corporation for the Student Loan Program authorized by Tennessee Code Annotated, Title 49, Chapter 4, Part 5. It being the legislative intent that these reserves may be used to cover any expenditures resulting from over-awards of assistance to students enrolled during the 2002-2003 academic year under the Student Assistance Program and may use that portion of earnings from the Student Loan Program reserves to conduct the training, administration and default management for students, schools and lenders in the Federal Family Education Loan Program, Part 4 and the Student Loan Program, Part 5. The allotment of funds appropriated by this item shall be subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

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Item 16. From the appropriation to the Tennessee Student Assistance Awards in Section 1, Title III-10, any unexpended balance at June 30, 2003 and/or any prior year appropriations recovered from prior recipients by June 30, 2003, shall not revert to the fund balance but shall be added to the reserve balances of the agency.

Item 17. Proceeds collected from prior recipients of the teacher loan/scholarship programs authorized by Tennessee Code Annotated, Title 49, Chapter 4, Parts 2 and 7 shall not revert to the fund balance but shall be deferred and added to the funds appropriated in the succeeding year for expenditure as awards in the Teaching Scholars Program (Tennessee Code Annotated, Section 49-4-212).

Item 18. Proceeds collected from prior recipients of the Minority Teaching Fellows Program authorized by Tennessee Code Annotated, Title 49, Chapter 4, Part 7 shall not revert to the fund balance but shall be deferred and added to the funds appropriated in the succeeding year for expenditure as awards in the Minority Teaching Fellows Program (Tennessee Code Annotated, Section 49-4-706).

Item 19. There is hereby appropriated a sum sufficient to the Tennessee Student Assistance Corporation from accumulated interest earnings in the Academic Scholars Program (Tennessee Code Annotated, Section 49-4-203) and in the Christa McAuliffe Scholarships Program (Tennessee Code Annotated, Section 49-4-705).

Item 20. There is hereby appropriated a sum sufficient to the Baccalaureate Education System Trust Board of Directors from fees and other charges for participation in the prepayment tuition program operated by the board under the provisions of Tennessee Code Annotated, Section 49-7-810.

Item 21. The capital outlay projects listed in the 2002-2003 Budget Document and which are identified with the heading "Proposed Capital Projects from School Bonds and Other Sources, Fiscal Year 2002-2003," are presented for informational purposes only. The projects are subject to recommendation and approval procedures involving the higher education institutions and their governing boards, the Tennessee Higher Education Commission, Finance and Administration, the Tennessee State School Bond Authority, the State Funding Board and the State Building Commission.

SECTION 30. Salaries provided under the appropriations made in Sections 1 and 4 of this act to the respective departments, institutions, offices and agencies shall be fixed as under the provisions of Tennessee Code Annotated, Title 8, Chapter 23.

Within the appropriations made for the Office of the Attorney General and Reporter under this act, the salaries of the attorneys, legal and clerical staff and other employees shall be fixed by the Attorney General. The expenditures provided for herein shall not exceed the amount of the appropriation to the Office of the Attorney General and Reporter.

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The salaries of all employees of the Judicial Branch, except those whose salaries are set by law, shall be fixed by the Director of the Administrative Office of the Courts with the approval of the Chief Justice of the Supreme Court. The compensation of the judges, chancellors, and justices of the state's trial and appellate courts shall be set in accordance with Tennessee Code Annotated, Section 8-23-103.

Within the appropriations herein made, the salaries of the subordinates and employees of the Treasurer, Comptroller, Secretary of State, and the Fiscal Review Committee shall be fixed by the heads thereof, respectively, and the salaries of the employees and subordinates of the Joint Legislative Services Committee shall be fixed by such committee in accordance with the provisions of Tennessee Code Annotated, Title 3, Chapters 10 through 14, inclusive; all other salaries and wages in departments, institutions, offices and agencies shall be approved by the Commissioner of Personnel, provided, however, that the establishment of salary ranges within such departments, institutions, offices and agencies shall be subject to the approval of the Commissioner of Finance and Administration. To the extent that additional funds are appropriated or are generated within a department or agency by abolishing vacant and funded positions, subject to review and approval of the Commissioner of Finance and Administration and the Commissioner of Personnel, salary increases may be granted from such funds.

Employee promotions shall be reported to the General Assembly under the provisions of Tennessee Code Annotated, Section 8-30-211(b).

SECTION 31. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. Under the provisions of Section 4 and Section 23 of this act, it is the legislative intent to appropriate the proceeds of federal block grant programs, as assumed by the State of Tennessee, in the following manner:

1. Social Services block grant in the amount of \$20,622,800 to the Department of Human Services and in the amount of \$21,210,500 to the Department of Children's Services.
2. Mental Health Services block grant in the amount of \$7,946,000 to the Department of Mental Health and Developmental Disabilities.
3. Child Care Development Funds block grant in the amount of \$117,934,900 to the Department of Human Services.
4. Maternal and Child Health block grant in the amount of \$13,193,500 to the Department of Health.
5. Preventive Health block grant in the amount of \$4,199,200 to the Department of Health.
6. Community Services block grant in the amount of \$11,711,600 to the Department of Human Services.
7. Low Income Energy Assistance block grant in the amount of \$18,270,700 to the Department of Human Services.

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8. Substance Abuse Prevention and Treatment block grant in the amount of \$32,484,700 to the Department of Health.

9. Temporary Assistance to Needy Families (TANF) block grant in the amount of \$260,121,500 to the Department of Human Services.

10. Small Cities Community Development block grant in the amount of \$63,140,000 to the Department of Economic and Community Development. Said sum being the estimated allocation of funds for the federal fiscal years 2001-2002 and 2002-2003 combined.

Provided, however, that all expenditures of any community development block grant funds in addition to those appropriated and enumerated in this section shall be subject to the following limitations and restrictions:

The Housing and Community Development Act of 1981 made it possible for states to assume administration of the small cities Community Development Block Grant (CDBG) previously administered by the U.S. Department of Housing and Urban Development (HUD). In Tennessee, the CDBG Program shall be administered by the Department of Economic and Community Development (ECD).

There shall be appropriated by the General Assembly to ECD such funds as may be allocated to Tennessee by the federal government for the CDBG Program. The state-administered CDBG Program shall be developed within the parameters of the CDBG legislation, applicable federal regulations, and consultation with citizens and elected officials in Tennessee.

The CDBG goals shall be three-fold: (1) target on areas of economic distress, (2) stimulate the growth of jobs and income in these areas, and (3) maximize the number of grantees. Additionally, all CDBG projects must meet one of the three national objectives of (1) principally benefiting persons of low and moderate income, (2) elimination or prevention of slums and blight, or (3) elimination of conditions detrimental to health, safety or public welfare. ECD shall be authorized to make grants and/or loans of CDBG monies to eligible city and county governments in Tennessee to achieve these goals. Loan payments and interest shall be reserved for reappropriation and shall not revert to the general fund balance at year end.

Eligible applicants shall be all city and county governments in Tennessee except those cities of and counties designated by HUD as CDBG entitlement areas. Cities excluded from the state-administered CDBG Program include Memphis and Shelby County, Nashville (Davidson County), Chattanooga, Knoxville and Knox County, Clarksville, Bristol, Johnson City, Oak Ridge, Murfreesboro, Kingsport and Jackson. These cities and counties will receive their CDBG funds directly from HUD.

Based upon an anticipated CDBG allocation in the federal fiscal years 2002 and 2003 of \$31,570,000 each year, the following target funding levels shall be established:

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	<u>Federal FY '02</u>	<u>Federal FY '03</u>
Administrative Costs	\$ 731,400	\$ 731,400
Industrial Location/ Expansions/ Retentions	12,114,500	12,114,500
Community Livability	1,790,300	1,790,300
Water/Sewer/Solid Waste	13,636,200	13,636,200
Housing and Neighborhood Revitalization	2,297,600	2,297,600
Set-Aside	1,000,000	1,000,000

A fifty percent (50%) reduction in any category will be permitted to facilitate proper program management and allow administrative flexibility. The funds so reduced shall be allocated to other categories with priority given to water/sewer/solid waste projects.

Selection criteria for project approvals shall be uniform within categories, objective and quantitative, and shall be based on project need, project feasibility, project impact, community need, and, for community livability projects, essentialness.

Project application materials will be supplemented, as appropriate, by site visits and by informed opinions of state agencies knowledgeable about particular projects.

The level of CDBG assistance for individual projects shall be determined by the following factors: (1) the percent of project beneficiaries that have family incomes below the low and moderate income (LMI) levels, (2) a maximum grant and/or loan of \$750,000.00 for individual projects (\$300,000.00 for community livability projects), (3) a maximum grant and/or loan to any applicant of \$750,000.00 in two successive years, and (4) the grantee's ability-to-pay. Higher grant levels (up to \$1,000,000.00) may be approved for regional projects.

If modifications in the expenditure plan for the CDBG Program are required, said modifications shall be accomplished in the following manner: (1) if the General Assembly is in session such modifications shall be approved by the General Assembly, or (2) if the General Assembly is not in session, the Governor may, (a) submit such modifications to the State Funding Board for approval or, (b) call a special session of the General Assembly for approval.

SECTION 32. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. The unexpended appropriations made to the Department of Economic and Community Development (ECD) for the purpose of making grants and loans to local governments and businesses for job creation and/or retention are subject to reversion to the general fund balance at June 30, 2002. Subject to the availability of revenue, the Commissioner of Finance and Administration is authorized to carry forward any unexpended balance or transfer any part of the unexpended balance to the Revenue Fluctuation Reserve at June 30, 2002. The Commissioner shall report to the Chairmen of the Finance, Ways and Means Committees of the Senate and House of Representatives the disposition of the unexpended appropriations.

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In the 2002-2003 fiscal year it is the legislative intent that new commitments made by the Commissioner of Economic and Community Development for grants in the TIIP program and industrial training service program shall not exceed the appropriations made for those purposes in Section 1 of this act. The Commissioner is authorized, subject to the concurrence of the State Funding Board, to determine that amount of new commitments unlikely to be accepted based on historical program trends and may over-commit to the extent of such determination. In no event may such over-commitments exceed thirty percent (30%) of the appropriations available for new grants. It is further the legislative intent that in the 2002-2003 fiscal year the TIIP program and the industrial training service program be managed so that actual expenditures and obligations to be recognized at June 30, 2003 shall not exceed any available reserves and appropriations of the programs.

No less frequently than quarterly, the Commissioner of Economic and Community Development shall report to the Commissioner of Finance and Administration the status of the TIIP and industrial training service appropriation, such report to include at least the following information: the amount of each commitment accepted since the previous report and the name of the company receiving the benefit of such commitment, the total outstanding commitments and the total unobligated appropriation. A copy of each such report shall be transmitted to the Speaker of the House and the Speaker of the Senate, the Chairmen of the Finance, Ways and Means Committees, the State Treasurer and the State Comptroller.

No single contract shall be made for more than seven hundred fifty thousand dollars (\$750,000) provided, however, that for extraordinary economic development projects of major employment and investment significance, additional funding may be provided with the approval of the state funding board.

These funds shall be used for industrial training and industrial infrastructure under the following provisions:

1. A grant or loan will be made only where there is a commitment by a responsible official in an eligible business for the creation or retention of private sector jobs and private investment, or where, in the opinion of the Commissioner of Economic and Community Development such investment will have a direct impact on employment and investment opportunities in the future.

2. Eligible businesses shall be limited to (a) manufacturing and other types of economic activities which export more than half of their products or services outside of Tennessee, (b) businesses where more than half of their products or services enters into the production of exported products, (c) uses which primarily result in import substitution on the replacement of imported products or services with those produced in Tennessee, (d) other types of economic activity determined by the Commissioner of ECD to have a beneficial impact on the economy of Tennessee.

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3. Grants may be made to local governments or to their economic development organizations or other political subdivisions of the state for industrial infrastructure and for industrial site preparation. Infrastructure grants may include system improvements or line extensions. Infrastructure grants may not be applied to private land or to land which is expected to become privately owned.

4. Grants may be made to eligible businesses for industrial training under the following conditions: (a) to support the training of new employees for locating or expanding industries, (b) to support the retraining of existing employees where retraining is required by the installation of new machinery or production processes.

5. In determining the level of grant assistance for infrastructure and site preparation consideration shall be given to local ability-to-pay with areas of lesser ability being eligible for higher grant rates.

The Commissioner of Finance and Administration is authorized to transfer a sum sufficient to the Division of Community Development and to the Industrial Training Service to provide for grants made under those programs.

SECTION 33. On or before January 31 of each calendar year, the Center for Business and Economic Research of the University of Tennessee shall cause to be published a comprehensive report on the state's economy. Said report shall be based on projections from the Tennessee Econometric Model and such other information as the Center may deem appropriate. The report shall contain projections for ten years (beginning with the calendar year preceding the year in which the report is due) of the annual economic activity (level and percent change over prior year) for each of the state's major economic sectors; shall include ten-year projections of selected economic indicators, as specified by the State Funding Board; and shall also include a narrative description of the short-term and long-term prospects for economic and business activity in the state based on these indicators. Quarterly projections shall also be published if available.

Said report shall be distributed to the Governor and the other members of the State Funding Board. The State Funding Board shall report to the General Assembly as provided in Tennessee Code Annotated, Section 9-4-5202.

SECTION 34. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. From the appropriations made in Chapter 435, Public Acts of 2001, the Commissioner of Finance and Administration is authorized to make transfers from the appropriations made:

Item 1. To the District Attorneys General in Section 1, Title III-1-2.

Item 2. To the Department of Finance and Administration in Section 1, Title III-2-3, and to adjust federal aid and other departmental revenue accordingly.

Item 3. To the Department of Agriculture in Section 1, Title III-3, and to adjust federal aid and other departmental revenue accordingly.

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Item 4. To the Department of Environment and Conservation in Section 1, Title III-5, and to adjust federal aid and other departmental revenue accordingly.

Item 5. To the Department of Economic and Community Development in Section 1, Title III-8.

Item 6. To the Department of Education in Section 1, Title III-9, and to adjust federal aid and other departmental revenue accordingly.

Item 7. To the Department of Safety in Section 1, Title III-20, and to adjust federal aid and other departmental revenue accordingly.

SECTION 35. The Commissioner of Finance and Administration is authorized to make the following transfers from the appropriations made in this act:

Item 1. To the Judicial Branch in Section 1, Title II, but excluding appropriations for Indigent Defendants Counsel, Civil Legal Representation, Verbatim Transcripts and Board of Law Examiners.

Item 2. In Sections 1 and 4 for the IV-D Child Support Program, a reallocation of positions and funds between the District Attorneys General and the Department of Human Services is authorized.

Item 3. To the Department of Correction in Section 1, Title III-7, and to adjust the number of authorized positions within the department's authorized level.

Item 4. To the Department of Labor and Workforce Development in Section 1, Title III-13, and to adjust federal aid and other departmental revenue accordingly.

Item 5. To the Department of Mental Health and Developmental Disabilities in Section 1, Title III-14, and to adjust federal aid and other departmental revenue accordingly.

Item 6. To the Department of Military in Section 1, Title III-15, and to adjust federal aid and other departmental revenue accordingly.

Item 7. To the Department of Health in Section 1, Title III-16, and to adjust federal aid and other departmental revenue accordingly.

Item 8. From the appropriations made to the Department of Human Services and the TennCare Program in Section 1, for eligibility determination for the Medicaid Program and various federal family assistance programs, the Commissioner of Finance and Administration is authorized to reallocate appropriations between the department and program, and to adjust federal and departmental revenue estimates accordingly, in order to reflect actual costs of eligibility determination services and Medicaid case management services.

Item 9. To the Department of Human Services in Section 1, Title III-17, and to adjust federal aid and other departmental revenue accordingly.

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Item 10. To the Department of Revenue in Section 1, Title III-18 and to adjust departmental revenue accordingly.

Item 11. The appropriations made in Section 1, Title III-21, Miscellaneous Appropriations, are authorized to be allocated and transferred to the appropriate organizational units and programs of state government by the Commissioner of Finance and Administration. For each appropriation so allocated and transferred, there is further appropriated sum sufficient from dedicated and earmarked revenues to provide for the comparable allocation of appropriations to those agencies and programs funded by dedicated and earmarked revenues.

In addition to the appropriations made in Section 4 of this act, there is hereby appropriated to the organizational units and programs of state government all federal aid funds and departmental revenue earnings associated with the allocation and transfer of Miscellaneous Appropriations authorized under the preceding paragraph in this item.

Item 12. To the Department of Children's Services in Section 1, Title III-22, and to adjust federal aid and other departmental revenue accordingly.

Item 13. To the Department of Finance and Administration – Mental Retardation in Section 1, Title III-24, and to adjust federal aid and other departmental revenue accordingly.

Item 14. To the Department of Finance and Administration, TennCare Program in Section 1, Title III-25, and to adjust federal aid and other departmental revenue accordingly.

SECTION 36. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. Subject to the availability of funding at June 30, 2002, any unexpended balances of appropriations made under Chapter 435, Public Acts of 2001, other acts of this General Assembly or acts by previous General Assemblies, listed in this section are hereby reappropriated to be expended in the 2002-2003 fiscal year and such appropriations shall be carried forward in a reserve into the fiscal year beginning July 1, 2002. The reappropriation and carry forward of these funds is subject to approval by the Commissioner of Finance and Administration. Unless otherwise noted, the unexpended balances reappropriated are authorized under Chapter 435, Public Acts of 2001, and they are the appropriations made:

Item 1. For data processing services, systems development, data processing equipment purchases and leases and telephone systems purchases and leases. The Commissioner of Finance and Administration is authorized to transfer from the amounts carried forward sums sufficient for the computer equipment replacement fund and to the systems development fund.

Item 2. Notwithstanding any provision of law to the contrary, all funds appropriated to the Legislative Branch which remain unobligated and unexpended at the end of any fiscal year, shall not revert to the general fund but shall be carried forward in a reserve to be expended in accordance with the approval of the Speaker of the House of Representatives and the Speaker of the Senate. This item shall not be subject to the approval of the Commissioner of Finance and Administration.

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Item 3. To the Judicial Branch in Section 1, Title II, but excluding the appropriations for Indigent Defendants' Counsel, Civil Legal Representation, and Verbatim Transcripts. If the fees collected by the Board of Law Examiners are less than the appropriation(s) to the Board, the carry forward amount shall be the difference between fees collected and expenditures. The reappropriated funds shall be expended for the study and implementation of an integrated computer system for the Tennessee court system under the provisions of Chapter 1005, Public Acts of 1994. This item shall not be subject to the approval of the Commissioner of Finance and Administration.

Item 4. To the Secretary of State for publication of the Blue Book under Section 36, Item 4.

Item 5. To the Department of State, Regional Libraries, in Section 36, Item 5.

Item 6. To the Department of Finance and Administration in Section 36, Item 6 to fund the Safe Neighborhoods Act of 1998.

Item 7. To the Department of Personnel in Section 36, Item 7 for a classification-compensation study.

Item 8. To the Department of Agriculture the unexpended balance of revenues from timber salvage sales at state forests and state parks.

Item 9. To the Department of Environment and Conservation, Land Reclamation, in Section 1, Title III-5, Item 18.

Item 10. To the Tennessee Historical Commission in Section 1, Title III-5, for the Tennessee Wars Commission.

Item 11. To the Tennessee Historical Commission the unexpended funds from any prior appropriations for publications, historical markers and other historical activities.

Item 12. To the Department of Education for the Basic Education Program and withheld from local education agencies in the fiscal year ending June 30, 2002, for non-compliance with the Education Improvement Act.

Item 13. To the Department of Education for the purpose of implementing Chapter No. 554 of the Public Acts of 2000, regarding the coordinated school health program.

Item 14. All funds received by the Department of Education in support of the Tennessee Education Technology Conference and which remain unobligated and unexpended at the end of any fiscal year shall not revert to the general fund but shall be carried forward in a reserve to be expended for the purposes of such program.

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Item 15. All funds from private foundations received by the Department of Education in support of the Marco Polo initiative and which remain unobligated and unexpended at the end of any fiscal year shall not revert to the education fund but shall be carried forward in a reserve to be expended for the purposes of such program.

Item 16. All funds appropriated to the Department of Education for the purposes of the state testing programs which remain unobligated and unexpended at the end of any fiscal year shall not revert to the general fund but shall be carried forward in a reserve to be expended for the purposes of such programs.

Item 17. To the Tennessee Higher Education Commission in Section 1, Title III-10 for desegregation activities and community service grant funds.

Item 18. To the Department of Mental Health and Developmental Disabilities in Section 1, Title III-14 for housing initiatives for the seriously and persistently mentally ill.

Item 19. To the Department of Safety in Section 1, Title III-20, for the production of license plates for the year 2000 license plate.

Item 20. For services to children for whose education the state is directly responsible and the funds were paid to the Department of Children's Services under the provisions of Tennessee Code Annotated, Section 49-3-363.

Item 21. To the Department of Children's Services in Section 1, Title III-22. Subject to the availability of revenue, the Commissioner of Finance and Administration is authorized to carry forward funds to provide for office relocation costs and the loss of federal SSBG funds in the fiscal year 2002-2003.

Item 22. To the Department of Children's Services in Section 1, Title III-22, Item 4, Adoption Services, for any grant agreement/contract approved by the Commissioner of Finance and Administration for the purpose of adoption placement and finalization for youth with special needs.

Item 23. To the Department of Transportation in Section 1, Title III-28, Item 2, for equipment purchases.

Item 24. To the Department of Transportation for any appropriations which are reserved at June 30, 2002.

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SECTION 37. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. Subject to the availability of revenue at June 30, 2002, any unexpended balances of appropriations made under Chapter 435, Public Acts of 2001, other acts of this General Assembly or acts by previous General Assemblies for benefit of an agency of local government or a third-party nonprofit organization for which there is a grant agreement/contract approved by the Commissioner of Finance and Administration are hereby reappropriated to be expended in the 2002-2003 fiscal year and such appropriations shall be carried forward in a reserve into the fiscal year beginning July 1, 2002. The Commissioner of Finance and Administration shall provide a list of any unexpended balances carried forward to the Director of Accounts and to the Division of State Audit. The reappropriation and carry forward of these funds is subject to approval by the Commissioner of Finance and Administration.

SECTION 38. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. There is hereby appropriated the following amounts which shall be in addition to the appropriations provided under Chapter 435, Public Acts of 2001:

Department of General Services

1.	Division of Printing	\$	200,000.00
2.	Division of Property Utilization – Surplus Property		300,000.00
	Total General Services	\$	500,000.00

Department of Environment and Conservation

1.	State Parks	\$	1,240,000.00
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Department of Education

1.	Comprehensive School Health Program	\$	602,600.00
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Department of Finance and Administration – Mental Retardation

1.	Middle Tennessee Region	\$	643,500.00
2.	East Tennessee Region		236,500.00
	Total Finance and Administration – Mental Retardation	\$	880,000.00

Miscellaneous Appropriations

1.	State Employees Group Health Insurance	\$23,800,000.00
2.	Retired Teachers Insurance	1,800,000.00
3.	State Agencies Rent	1,403,200.00
	Total Miscellaneous Appropriations	\$27,003,200.00

TOTAL		\$30,225,800.00
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The Commissioner of Finance and Administration is authorized to allot and transfer these appropriations to the appropriate expenditure account within each department, agency or branch of government and to adjust authorized positions accordingly. The Commissioner of Finance and Administration is further authorized to adjust federal aid and departmental revenues accordingly.

SECTION 39. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

SECTION 40. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. There is hereby appropriated a sum sufficient to recognize any accrued liability of the state and any obligations between state agencies at June 30, 2003 and federal aid and departmental revenues may be adjusted accordingly. This appropriation is subject to certification of the accrued liability and obligations between state agencies by the Commissioner of Finance and Administration to the State Comptroller.

SECTION 41. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. All savings of appropriations made in this act for employer FICA taxes as a result of employee participation in any cafeteria plan established for state employees, including employees of institutions of higher education, are hereby appropriated as follows:

(a) An amount sufficient to implement and pay the cost of administering the cafeteria plan established for such employees is hereby appropriated for that purpose. From the appropriation made in this item, the State Treasurer, with the approval of the Commissioner of Finance and Administration, is authorized to fund recurring and non-recurring costs of administering the cafeteria plan established for such employees; and

(b) All other savings shall be allocated for the purpose of assisting such employees in obtaining day care services; for the purpose of enhancing group insurance programs; and for the purpose of providing other programs and services designed to benefit such employees. The Commissioner of Finance and Administration, with the advice and consent of the State Treasurer and the Commissioner of Personnel, is authorized to allocate funds as he determines to the agencies involved with the administration of such programs.

Item 2. The State Library and Archives Management Board in its discretion is hereby authorized to reallocate any remaining funds from the \$906,600.00 appropriated in Chapter 1037, Section 12, Item 124 of the Public Acts of 1988, for library construction at specific locations across the state, where projects have not developed, to other unspecified locations where future library construction projects may develop.

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Item 3. The State Library and Archives Management Board in its discretion is hereby authorized to reallocate any remaining funds from the \$1,000,000.00 appropriated in Chapter 1011, Section 12, Item 13 of the Public Acts of 1994 for library construction in specific locations and counties across the state, where projects have not developed to other unspecified locations and counties where future library construction projects may develop.

Item 4. There is hereby appropriated a sum sufficient from earmarked and/or dedicated agency revenues and reserves to provide for the costs of implementing the state's underground storage tanks program. The Commissioner of Finance and Administration shall allocate the costs to the individual agencies and establish the appropriations required from revenues and reserves available to the individual agencies.

Item 5. There is hereby appropriated a sum sufficient from general fund interest earnings for the purpose of funding the State of Tennessee's liability under IRS regulations for arbitrage interest earnings on proceeds from general obligation debt.

Item 6. There is hereby appropriated a sum sufficient from general fund interest earnings for the purpose of funding the state's liability for the exchange of interest with the federal government as provided for in the Cash Management Act of 1990.

Item 7. There is hereby appropriated a sum sufficient to provide for a consultant's services in review of accounts receivable management for the State of Tennessee and for the implementation of those recommendations to the extent the recommendations are approved by the Commissioner of Finance and Administration. It is the intent of the legislature that said appropriation shall be funded from revenues collected from accounts receivable. The Commissioner of Finance and Administration may establish such positions as may be required to cost-effectively implement such recommendation.

Item 8. There is hereby appropriated a sum sufficient for the purpose of implementing an employee maintenance policy by the Department of Finance and Administration effective July 1, 2002. It is the legislative intent to hold harmless employees affected by the maintenance policy who were employed as of June 30, 1998. The Commissioner of Finance and Administration is authorized to allocate the appropriation to the appropriate organizational units and programs of state government and to adjust federal aid and departmental revenue allotments accordingly.

Item 9. There is hereby appropriated a sum sufficient to the Tennessee Industrial Finance Corporation from any revenues available to the organization to be expended under the provisions of Tennessee Code Annotated, Section 4-17-404.

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Item 10. There is hereby appropriated from dedicated revenues a sum sufficient to the Department of Commerce and Insurance, Division of Regulatory Boards, Real Estate Education and Recovery Fund, to provide for court-ordered payments and to print and distribute to all licensees a manual of laws and rules and regulations.

Item 11. Subject to the financial reporting requirement that the value of federal food stamps be recognized in the state's accounting system, there is hereby appropriated a sum sufficient from federal funds to recognize the value of food stamps.

Item 12. In addition to the appropriation made in Section 1, Title III-28, Item 3 for Highway Maintenance, and Item 5.5 for State Highway Construction in Chapter 435, Public Acts of 2001, there is further appropriated such amount as the Commissioner of Finance and Administration shall determine is available from tax revenues allocated to the highway fund and from the highway fund balance.

Item 13. In the fiscal year ending June 30, 2002 the carry forward and reappropriation of unexpended appropriations for major maintenance, authorized in Section 2, Item 1 of Chapter 435, Public Acts of 2001, shall be subject to approval by the Commissioner of Finance and Administration based upon the availability of revenues and reserves in the general fund at June 30, 2002.

Item 14. From the unexpended balances of the appropriations made under Section 1, Title III-21 of this act, there is hereby appropriated a sum not to exceed \$125,000.00 to reimburse the U.T. Center for Business and Economic Research for research assistance to the Department of Finance and Administration.

Item 15. From the unexpended balances of the appropriations made under Section 1, Title III-21 of this act, there is hereby appropriated a sum not to exceed \$40,000 in the fiscal year ending June 30, 2003 to reimburse the U.T. Center for Business and Economic Research for services delivered under the state data center contract with the U.S. Census Bureau.

Item 16. The unexpended balance of the appropriation made in Section 1, Title III-21, Item 2 of Chapter 435, Public Acts of 2001, is hereby reappropriated to provide for back-pay awards to state employees.

Item 17. In the fiscal year ending June 30, 2003, it is the legislative intent that the sum of two million dollars (\$2,000,000) be credited to the Health Access Incentive Account under the provisions of Tennessee Code Annotated, Section 66-29-121.

Item 18. From the funds appropriated by this act, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to the Department of General Services, Division of Motor Vehicle Management internal service fund for the acquisition of motor vehicles.

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Item 19. From the appropriation made in Section 1, Title III-15, Item 1, the sum of \$250,000 is earmarked to fund recruiting scholarships for Army and Air National Guard recruits. This appropriation is subject to passage of House Bill No. 11/Senate Bill No. 17.

Item 20. The Commissioner of Finance and Administration shall have the authority to allocate savings generated from rate reductions from Office of Information Resources services to support modifications needed to be made to existing applications resulting from technology obsolescence or product nonperformance to extend the life of a system.

Item 21. Any unexpended real estate fees collected by the real property management division in the Department of Finance and Administration shall not revert to the general fund at June 30, 2003 but shall be carried forward in a reserve.

Item 22. From the handgun carry permit fees paid under the provisions of Tennessee Code Annotated, Section 39-17-1351 and the provisions of Chapter 476, Public Acts of 1997, any unexpended permit fees at June 30, 2002, are hereby reappropriated to be expended in the 2002-2003 fiscal year and shall be carried forward in a reserve into the fiscal year beginning July 1, 2002.

Item 23. From the privilege tax on litigation apportioned for fingerprint imaging systems grants under the provisions of Tennessee Code Annotated, Section 67-4-602, any unexpended funds so apportioned shall not revert to the general fund at June 30, 2002, but shall be carried forward in a reserve to be expended for such grants in the succeeding fiscal years. Such funds are hereby reappropriated for that purpose.

Item 24. The appropriation made in Section 1, Title II, Item 6, of this act, for Civil Legal Representation shall be adjusted to an amount equal to the revenue collected in the fiscal year ending June 30, 2002, from the earmarked litigation tax levied pursuant to Tennessee Code Annotated, Section 67-4-602(f).

In addition to the preceding appropriation, there is hereby appropriated a sum sufficient not to exceed the revenue collected in the fiscal year ending June 30, 2003, from the earmarked bail bond tax levied pursuant to Tennessee Code Annotated, Section 67-4-806, for the purpose of developing and providing continuing education for professional Bail Bonding Agents and providing civil legal representation to low-income Tennesseans.

Item 25. In addition to the appropriations made in Section 1, Title II of this act to the Judicial Branch there are hereby appropriated from dedicated fees the following amounts:

- a) \$2,006,600 to the Board of Professional Responsibility established by Supreme Court Rule 9 and 20 full-time positions are authorized;

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b) \$209,100 to the Tennessee Lawyers Assistance Program established by Supreme Court Rule 33 and 2 full-time positions are authorized;

c) \$433,000 to the Tennessee Commission On Continuing Education And Specialization established by Supreme Court Rule 21 and 4 full-time positions are authorized; and

d) \$208,500 to the Tennessee Lawyers Fund For Client Protection established by Supreme Court Rule 25.

Item 26. There is appropriated to the Department of the Treasury a sum not to exceed \$163,000 from the criminal injuries compensation fund for grants to the District Attorneys General for domestic violence prevention and drug enforcement activities.

Item 27. In the fiscal years ending June 30, 2002 and June 30, 2003 there are hereby appropriated sums sufficient to the Office of the Post-Conviction Defender to offset any undercollection of departmental revenues appropriated in Section 4, Title III-1, Item 6 of this act. This appropriation shall be non-recurring.

Item 28. There is hereby appropriated a sum sufficient to the Board of Probation and Parole from the reserves for parole and probation supervision and rehabilitation fees in the fiscal year ending June 30, 2003 under the provisions of Tennessee Code Annotated, Section 40-28-203(c).

Item 29. In the fiscal years ending June 30, 2002 and June 30, 2003 there are hereby appropriated sums sufficient to the Department of General Services, Property Utilization from revenues and reserves available to the division.

Item 30. From the funds appropriated in Section 1, Title III-2, Item 1.1, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to Item 1.2, Intergovernmental Conferences to provide for the annual dues to the National Governor's Association and its subsidiary organizations.

Item 31. The appropriation made in Section 12, Item 1062 of the 1998 Appropriations Act to the Tennessee Technological University Agricultural Foundation is hereby reappropriated to the Foundation to acquire equipment and to enhance the Hyder Burkes Agricultural Pavilion.

SECTION 42.

Item 1. Notwithstanding any provision of the law to the contrary, no law of general application which imposes increased expenditure requirements on cities and counties in excess of one million dollars (\$1,000,000.00) shall take effect unless the state share of the cost of such law is specifically appropriated by the provisions of this act.

SECTION 43. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

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Item 1. It is the legislative intent to recognize a base over-appropriation in the general fund of \$100,750,000 in 2001-2002 and \$80,000,000 in 2002-2003.

Item 2. In the fiscal year ending June 30, 2002, there shall be reserved or designated a sum in the general fund balance to provide for non-recurring appropriations and other appropriations intended to be funded in the 2002-2003 fiscal year from the general fund balance at June 30, 2002. The Commissioner of Finance and Administration shall determine the amount to be reserved or designated.

Item 3. Under the provisions of Tennessee Code Annotated, Section 55-6-107(a), the sum of \$2,900,000 shall be allocated to the general fund for the cost of issuing motor vehicle registration plates in the fiscal year ending June 30, 2003.

Item 4. Unexpended appropriations in an amount not to exceed \$45,000,000 shall be transferred from the debt service fund to the general fund in the fiscal year ending June 30, 2002.

Item 5. In the fiscal year ending June 30, 2002, tax revenues allocated to the debt service fund, including motor vehicle title fees, in excess of \$236,000,000 shall be transferred to the general fund. If said allocation to the debt service fund is less than \$236,000,000, then the allocation of excise tax revenues to the debt service fund shall be increased in an amount to provide the allocation of \$236,000,000 to the debt service fund.

Item 6. In the fiscal year ending June 30, 2002, the allocation of motor vehicle title fees to the debt service fund shall be the lesser of \$2,700,000 or the sum generated by the \$1.50 fee under the provisions of Tennessee Code Annotated, Section 55-6-101(a)(1).

Item 7. From the appropriations made in Section 1, Title III-10 of the 2001 Appropriations Act to the University of Tennessee and to the Tennessee Board of Regents the sum of \$9,700,000 shall revert to the general fund balance at June 30, 2002. From the other appropriations made to higher education, excluding Tennessee Student Assistance Awards, the sum of \$1,500,000 shall revert to the general fund balance at June 30, 2002.

Item 8. The provisions of Section 29, Item 16 of the 2001 Appropriations Act (Public Chapter 435) are hereby repealed. It is the legislative intent that the unexpended balance of the appropriation made for Tennessee Student Assistance Awards revert to the general fund balance at June 30, 2002.

Item 9. From the appropriation made in Section 1, Title III-2 of the 2001 Appropriations Act to the Department of General Services, Motor Vehicle Management, the sum of \$2,750,000 shall revert to the general fund balance at June 30, 2002.

Item 10. In the fiscal year ending June 30, 2002, it is the legislative intent that the sum to be credited to the Health Access Incentive Account under the provisions of Tennessee Code Annotated, Section 66-29-121 be reduced from \$2,000,000 to a sum sufficient to provide for expenditures and liabilities less the sum of \$761,850.56. It is the legislative intent that the reserve balance in the Health Access Incentive Account at June 30, 2001 be used to fund the program in the fiscal year ending June 30, 2002.

SECTION 44. There is hereby appropriated a sum sufficient from the State Office Buildings and Support Facilities Revolving Fund to provide for expenditures authorized under Title 9, Chapter 4, Part 9 of the Tennessee Code Annotated. There is appropriated a sum sufficient to the revolving fund in recognition of the lease cost of space for which recovery is not in the state's best interest.

SECTION 45. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

1. There is hereby created a Capital Projects Account in the Division of Office of Information Resources for the administration of the Information Systems Capital Projects Budget.

This account is established to provide for:

(a) Implementation of the statewide Management Information Systems Plan;

(b) Ability to separate the operational budget of the Office of Information Resources and the system development projects contained in the MIS Plan; and

(c) Financial control of the system development projects, including equipment replacement for the various agencies of state government.

2. There is hereby authorized the transfer of those sums appropriated for information systems capital projects in Sections 1 and 4 and in Section 36, Item 1 of this act. Federal aid funds and other departmental revenues shall be adjusted accordingly to reflect the transfer of state appropriations.

3. The Commissioner of Finance and Administration is authorized to transfer to the Capital Projects Account any appropriations made in Sections 1 and 4 of this act resulting from operating savings derived from implementation of information systems funded through this section.

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4. From the appropriations made for systems development and other data processing activities in this act and other acts of the legislature, the Commissioner of Finance and Administration is authorized to establish and charge the costs of information systems analyst positions and other data processing positions to said appropriations. The Commissioner of Finance and Administration is further authorized to transfer between departments and agencies existing information systems analysts positions, other data processing positions and the funding provided in this act for transferred positions. This appropriation is subject to approval by the Information Systems Council.

5. Expenditure of any funds, subject to the jurisdiction of the Information Systems Council, appropriated for systems development, the purchase of computer software or the purchase of computer hardware shall be subject to the policies of such Council.

SECTION 46.

Item 1. The revenues allocated under the provisions of Tennessee Code Annotated, Title 55, Chapter 4, Part 2 – Special License Plates, are hereby appropriated in a sum sufficient amount as provided in Part 2.

Item 2. From the motor vehicle registration fees imposed under the provisions of Chapter 459, Public Acts of 1999 there is hereby appropriated a sum sufficient in the fiscal year ending June 30, 2003 to be used solely for the development, acquisition and updating of a computerized titling and registration system. The Commissioner of Finance and Administration is authorized to allocate the funds to implement the intent of the 1999 act.

SECTION 47. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. From state revenues and other funds available to the general fund for the fiscal year ending June 30, 2002, the Commissioner of Finance and Administration is authorized to establish the Revenue Fluctuation Reserve in the amount of \$178,000,000 under the provisions of Tennessee Code Annotated, Section 9-4-211.

Item 2. From state revenues and other funds available to the general fund for the fiscal year ending June 30, 2003, the Commissioner of Finance and Administration is authorized to establish the Revenue Fluctuation Reserve in the amount of \$280,900,000 under the provisions of Tennessee Code Annotated, Section 9-4-211.

SECTION 48. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

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Item 1. The Commissioner of Finance and Administration is authorized to transfer all federal and state health care funds, except those funds appropriated to support the State Group Insurance Program, the Local Education Insurance Program and the Local Government Health Insurance Program, to the TennCare Program for the purpose of implementing any program approved by waiver, state plan amendment and/or state and federal legislation pursuant to the provisions of health care services to Tennesseans designated as eligible by TennCare. In addition, any premiums collected by the TennCare Program are explicitly authorized to be appropriated to the program for the purpose of carrying out the provisions of TennCare.

The Commissioner of Finance and Administration is further authorized to transfer state funds and positions, as required, between TennCare and Mental Health services; Mental Retardation services; other Health services; Children's Services; Finance and Administration, Office of Health Services; and Commerce and Insurance, Division of TennCare Oversight.

Item 2. For fiscal year 2002-2003, in addition to all other appropriations to the TennCare Program, the Commissioner of Finance and Administration is authorized to use certified public expenditures and/or intergovernmental transfers from all government-related TennCare service providers and local governments for the purpose of matching funds under federal law for the TennCare Program. The use of the certified public expenditures and/or intergovernmental transfers shall be in accordance with federal law and regulations.

Item 3. Subject to the availability of funding at June 30, 2002, the Commissioner of Finance and Administration is authorized to carry forward into the fiscal year beginning July 1, 2002 any unexpended balances of appropriations made under Chapter 435, Public Acts of 2001, for TennCare and such funds as are carried forward are hereby reappropriated to be expended in the 2002-2003 fiscal year.

Item 4. Subject to the availability of revenue from intergovernmental transfers, there is hereby appropriated to TennCare a sum sufficient in the fiscal year ending June 30, 2003, for Nursing Facility Disproportionate Share Payments, incentive payments to local governments, an increase in payments to Level I and Level II facilities to the 65th percentile, and to the TennCare Reserve. It is the intent that the Long Term Care Global Budget for fiscal year 2002-2003 be increased for such payments.

Item 5. The Commissioner of Finance and Administration is hereby authorized to expend or lend from the funds appropriated such sums as the Commissioner deems appropriate to assist TennCare HMO(s) in their operations and obtain services from contractors, consultants, and other third parties to give such assistance, such being determined by the General Assembly to be for a public purpose. The commissioner shall provide prompt notification to the Speakers of the Senate and House of Representatives and to the chairs of the Finance, Ways and Means Committees regarding any such expenditure or loan with complete details of the amounts and recipients involved in such transactions.

Item 6. The Commissioner of Finance and Administration and the TennCare Bureau shall provide quarterly reports to the Fiscal Review Committee regarding the expenditures of all base and improvement funds made available by the provisions of this act for the TennCare managed care program. Such reports shall include, but not be limited to, a detailed accounting of the timeliness and amounts of the following types of payments: (1) enhanced payments to providers; (2) essential provider payments; (3) monthly third-party contractor payments; and (4) any expenditures or loans made by the Commissioner of Finance and Administration to or for the benefit of any TennCare MCO to assist in its operations or obtain services from contractors, consultants, and any other third party. Such reports shall also include any other information requested by the chair of the Fiscal Review Committee.

No incentives shall be given to MCOs to join or remain in the TennCare Program until fifteen (15) days written notice detailing the proposed incentives have been provided to the Fiscal Review Committee.

Item 7. MCOs participating in the TennCare program shall be required to pay out a minimum of 85% of their capitation for medical services. This requirement shall be monitored by the TennCare Bureau and Commerce and Insurance through monthly mandatory reporting by the MCOs and financial reports filed with Commerce and Insurance regarding: claims payments, capitation payments and provider services by major expenditure category – hospitals, physicians, pharmacy, other. The TennCare Bureau shall report this information quarterly to the Fiscal Review Committee.

Item 8. From the TennCare Reserve, there is appropriated a sum sufficient to be transferred to the Tennessee Department of Mental Health and Developmental Disabilities for the sole purpose of funding the required match for the SAMHSA "System of Care Grant" for Davidson County for sexually and emotionally disturbed children and youth at risk of or in out-of-home placement and federal funds, departmental revenues and authorized positions may be adjusted accordingly.

Item 9. There is hereby reappropriated a sum sufficient from the TennCare Reserve to the Department of Finance and Administration to provide for the initial analysis and beginning remediation of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Privacy Rule for the Administrative Simplification Subtitle of HIPAA. The cost of the analysis and beginning remediation may be allocated to the affected state departments, agencies and entities.

Item 10. The Commissioner of Finance and Administration is hereby authorized to adjust revenue estimates and related expenditures in Section 4, Title III-24, related to premiums and drug rebates for the purpose of carrying out the provisions of TennCare.

Item 11. From the appropriations made to the Department of Finance and Administration, TennCare Bureau, the Commissioner of Finance and Administration is authorized to establish two positions to comply with required home- and community-based services waiver oversight responsibilities.

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Item 12. From the appropriations to the Department of Finance and Administration - Office of Health Services in Section 1, Title III-26, Item 1, of this act, the amount of \$5,000,000 is earmarked for the purpose of eligibility determination; local access and referral; and family support services for persons with developmental disabilities in accordance with Title 33 revisions. The Commissioner of Finance and Administration is authorized to transfer these funds, as required, between the Department of Finance and Administration - Office of Health Services; the Department of Mental Health and Developmental Disabilities; and the Department of Finance and Administration - Division of Mental Retardation to comply with the delivery of these services.

SECTION 49.

Item 1. The appropriation of \$40,700,000 made in Section 1, Title III-9, Item 2.1c. BEP and Other LEA Support, is for the state share of a two and one-half percent (2.5%) across-the-board teachers' salary increase in the Basic Education Program in fiscal year 2002-2003.

Item 2. The appropriation made in Section 1, Title III-10, Item 5.1 to Higher Education, includes \$41,350,000 to provide an average three and one-half percent (3.5%) salary increase effective July 1, 2002 for all higher education employees. Subject to approval by the Commissioner of Finance and Administration, the Tennessee Higher Education Commission shall prepare a schedule to allocate this appropriation. Such schedule shall be submitted to the Office of Legislative Budget Analysis.

Item 3. The appropriation of \$49,150,000 made in Section 1, Title III-21, Item 21, State Employee Salary Increase, is intended to provide a five percent (5%) across-the-board salary increase effective July 1, 2002 for each state employee and to adjust the appropriate salary ranges in a like manner. The salary increase is not applicable to employees in positions which come under the provisions of a statutory salary plan: provided, however, that employees who come under the provisions of a statutory salary plan shall receive compensation increases in accordance with the provisions of such statutory salary plan.

Item 4. The appropriation of \$20,516,600 in Section 1, Title III-21, Item 22, for State Employee Salary Adjustments, is made to address employee compensation issues. Prior to allotting this appropriation under the provisions of Section 35, Item 11 of this act, the Commissioner of Personnel and the Commissioner of Finance and Administration shall submit to the Speaker of the House of Representatives, the Speaker of the Senate and the Chairmen of the Finance, Ways and Means Committees of the Senate and House of Representatives a plan for the allocation of this appropriation to state agencies. Such plan shall also be submitted to the Office of Legislative Budget Analysis. There is earmarked a sum sufficient to address legislative employee compensation issues.

Item 5. It is the legislative intent that across-the-board raises shall apply to all state employees unless an employee is denied on the basis of unsatisfactory work performance which shall be set forth in a statement from the head of the department or agency, detailing the circumstances surrounding the denial which shall be sent to the affected employee. The person denied the increase shall then have the opportunity to respond either orally or in writing to the head of the department or agency. If the denial is sustained, such letter must be filed with the Commissioner of Personnel. Provided, however, that employees who are compensated at range minimums shall receive any increase caused by adjustment of range minimums, notwithstanding the provisions of this item to the contrary.

SECTION 50.

Item 1. The appropriation made in Section 1, Title III-10, Item 5.1 Higher Education System-Wide Improvements, is intended to fund the following improvements:

a) Faculty Retention and Recruiting	\$10,000,000.00
b) Special Equipment	\$10,000,000.00
c) Technology Initiatives	\$ 2,000,000.00
d) Average 3.5 percent Salary Increase	\$41,350,000.00

Item 2. The appropriation for Faculty Retention and Recruiting shall be matched with \$5,000,000.00 from student tuition and fees. Subject to procedures established by the Tennessee Higher Education Commission, each higher education system shall submit a request proposal to the commission with individual faculty members identified. The allocation of funds is subject to approval by the Tennessee Higher Education Commission.

Item 3. The appropriation for Special Equipment is subject to allocation by the Tennessee Higher Education Commission.

Item 4. The appropriation for Technology Initiatives is intended to provide debt service on \$9,000,000.00 in general obligation notes to procure infrastructure associated with technology initiatives. The allocation of the note proceeds is subject to approval by the Tennessee Higher Education Commission.

Item 5. The appropriation made in Section 1, Title III-10, Item 5.2 Geier Desegregation Settlement, is subject to allocation by the Tennessee Higher Education Commission with the approval of the Commissioner of Finance and Administration. The allocation may include a sum for capital outlay at Tennessee State University, as provided on page A-138 of the 2002-2003 Budget Document, or as amended by any changes or additions contained in the act.

Item 6. The appropriations made in Section 1, Title III-10, Items 3.5 and 4.7 for Research Initiatives in higher education are subject to transfer to the appropriate organizational units by each system upon notification to the Commissioner of Finance and Administration.

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Item 7. It is the legislative intent that persons serving on the Council on Public Policy in Higher Education pursuant to Chapters 435 and 464 of the Public Acts of 2001 shall continue to serve in fiscal year 2002-2003.

Item 8. Notwithstanding any provision of law or this act to the contrary, no increase in compensation for staff, faculty or administrators in excess of increases in compensation granted pursuant to a general salary policy provided by the state shall be implemented in any institution of higher education until a compensation plan for each campus and administrative office has been submitted to and approved by the Board of Trustees of the University of Tennessee or the Board of Regents, respectively. Such plans shall also be submitted to the commissioner of Finance and Administration and the Office of Legislative Budget Analysis.

SECTION 51. The appropriation made in Section 1, Title III-31, Item 4 to the Department of Finance and Administration for capital outlay purposes expressly provides for the making of grants to governmental entities and not-for-profit organizations located in Davidson County and Montgomery County, if such grants are identified in the Governor's budget, including the budget overview, for the fiscal year 2002-2003 and approved by the State Building Commission. Such grants so identified and approved are determined to be for a public purpose.

SECTION 52. From the appropriation in Section 1, Title III-11, Item 5, Regulatory Boards, an amount of \$175,000 is earmarked from the Board of Architectural and Engineering Examiners revenues or reserve funds for disbursement to accredited interior design programs, accredited architectural programs and accredited engineering programs of state-funded colleges and universities, after application to and subject to approval by the Board of Architectural and Engineering Examiners. The Board will develop guidelines for application, award and disbursement of the funds appropriated herein.

SECTION 53. The Commissioner of Finance and Administration is authorized to reallocate appropriations for Board of Claims premiums among state agencies and programs, based on the actuarial study provided by the State Treasurer, and to adjust federal and other departmental revenues accordingly. There is further appropriated for this purpose sums sufficient from dedicated and earmarked revenues to provide for the allocation of appropriations to those agencies and programs funded by dedicated and earmarked revenues. The Commissioner of Finance and Administration also shall reduce appropriations from dedicated and earmarked revenues where necessary, to reflect the allocations of the actuarial study.

SECTION 54. The Tennessee Code Commission is requested to place an appropriate, permanent note following the codification of any public act which is codified and which has not received constitutionally required first year's funding through the provisions of this act.

SECTION 55. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

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SECTION 56. This act shall take effect upon becoming a law, the public welfare requiring it; provided, however, that any provision of this act which authorizes prior or immediate expenditures and any section or item which specifies an immediate effective date shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Kisber moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2308

H FWM#0001
012889

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Alcoholic Beverage Commission by the provisions of this act is reduced by the sum of \$56,000. Such funding reduction is for the purpose of eliminating the improvement for LAN/WAN connections.

H FWM#0004
012891

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Commission on Aging and Disability by the provisions of this act is reduced by the sum of \$2,500,000. Such funding reduction is for the purpose of eliminating the long-term care improvement for home and community-based services, including the family caregiver support program.

H FWM#0006
012892

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Agriculture by the provisions of this act is reduced by the sum of \$2,500,000. Such funding reduction is for the purpose of eliminating the improvement for the boll weevil eradication program.

H FWM#0019
015700

by adding the following new item at the end of Section 10:

Item _____. The appropriation made by the provisions of this act is reduced by the sum of \$200,000. Such funding reduction is for the purpose of eliminating the improvement for Homeland Security for the Attorney General and Reporter.

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H FWM#0020
012898

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Children's Services by the provisions of this act is reduced by the sum of \$756,300. Such funding reduction is for the purpose of eliminating the improvement for sex offender, drug and alcohol abuse treatment, and violent offender treatment at youth development centers.

H FWM#0027
012907

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Commerce and Insurance by the provisions of this act is reduced by the sum of \$7,300. Such funding reduction is for the purpose of eliminating the improvement for two (2) positions in internal audit and information systems.

H FWM#0032
012913

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Comptroller of the Treasury by the provisions of this act is reduced by the sum of \$206,000. Such funding reduction is for the purpose of eliminating the improvement for the additional staffing of four (4) positions in information systems.

H FWM#0033
012915

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Comptroller of the Treasury by the provisions of this act is reduced by the sum of \$114,400. Such funding reduction is for the purpose of eliminating the improvement for two (2) positions to analyze K-12 public school performance pursuant to the Educational Improvement Act.

H FWM#0034
012917

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Comptroller of the Treasury by the provisions of this act is reduced by the sum of \$50,000. Such funding reduction is for the purpose of eliminating the improvement for property reappraisal grants growth.

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H FWM#0035
012924

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Comptroller of the Treasury by the provisions of this act is reduced by the sum of \$240,000. Such funding reduction is for the purpose of eliminating the improvement for four (4) positions in county audit.

H FWM#0047
012935

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Correction by the provisions of this act is reduced by the sum of \$538,100. Such funding reduction is for the purpose of eliminating the improvement for the 3.25% contract inflator (fixed rate) for the South Central Correctional Center.

H FWM#0048
012936

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Correction by the provisions of this act is reduced by the sum of \$100,000. Such funding reduction is for the purpose of eliminating the improvement for the replacement of kitchen equipment at the Brushy Mountain Correctional Complex.

H FWM#0049
012937

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Correction by the provisions of this act is reduced by the sum of \$410,800. Such funding reduction is for the purpose of eliminating the improvement for twelve positions in the pre-release program, statewide.

H FWM#0050
012938

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Correction by the provisions of this act is reduced by the sum of \$83,400. Such funding reduction is for the purpose of eliminating the improvement for three positions in the Security Threat Group Unit for gangs at the Southeastern Tennessee Regional Correctional Center.

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H FWM#0051
012940

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Correction by the provisions of this act is reduced by the sum of \$55,500. Such funding reduction is for the purpose of eliminating the improvement for two maintenance worker positions at the West Tennessee State Penitentiary.

H FWM#0059
012941

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Court System by the provisions of this act is reduced by the sum of \$871,000. Such funding reduction is for the purpose of eliminating the improvement for the General Sessions TJIS reporting requirement.

H FWM#0060
012943

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Court System by the provisions of this act is reduced by the sum of \$300,000. Such funding reduction is for the purpose of eliminating the improvement for a rate increase for verbatim transcripts.

H FWM#0062
012945

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the District Attorneys General Conference by the provisions of this act is reduced by the sum of \$100,000. Such funding reduction is for the purpose of eliminating the improvement for expert witness fees.

H FWM#0063
012946

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the District Attorneys General Conference by the provisions of this act is reduced by the sum of \$1,542,300. Such funding reduction is for the purpose of eliminating the improvement for grant replacement funding for twenty-nine (29) existing positions.

H FWM#0064
012947

by adding the following new item at the end of Section 10:

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Item _____. The appropriation made to the District Attorneys General Conference by the provisions of this act is reduced by the sum of \$230,400. Such funding reduction is for the purpose of eliminating the improvement for computer replacement.

H FWM#0067
015693

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Economic and Community Development by the provisions of this act is reduced by the sum of \$56,700. Such funding reduction is for the purpose of eliminating the improvement for increased membership dues of the Appalachian Regional Commission.

H FWM#0068
012949

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Economic and Community Development by the provisions of this act is reduced by the sum of \$3,574,300. Such funding reduction is for the purpose of eliminating the improvement for TIIP funding.

H FWM#0069
012951

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Economic and Community Development by the provisions of this act is reduced by the sum of \$400,000. Such funding reduction is for the purpose of eliminating the improvement for the Tennessee Technology Development Corporation.

H FWM#0070
012952

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Economic and Community Development by the provisions of this act is reduced by the sum of \$400,000. Such funding reduction is for the purpose of eliminating the improvement for the Black Enterprise Conference.

H FWM#0074
012956

by adding the following new item at the end of Section 10:

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Item _____. The appropriation made to the Department of Education by the provisions of this act is reduced by the sum of \$70,000,000. Such funding reduction is for the purpose of eliminating the improvement for the Reading Initiative.

H FWM#0075
012957

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Education by the provisions of this act is reduced by the sum of \$7,000,000. Such funding reduction is for the purpose of eliminating the improvement for teacher liability insurance.

H FWM#0076
012958

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Education by the provisions of this act is reduced by the sum of \$126,100. Such funding reduction is for the purpose of eliminating the improvement for three positions in the School for the Blind for Braille book production.

H FWM#0077
012959

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Education by the provisions of this act is reduced by the sum of \$500,000. Such funding reduction is for the purpose of eliminating the improvement for the start-up cost for the Autism Center in East Tennessee.

H FWM#0078
012961

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Education by the provisions of this act is reduced by the sum of \$111,700. Such funding reduction is for the purpose of eliminating the improvement for student weekend travel home for special schools.

H FWM#0079
012962

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Education by the provisions of this act is reduced by the sum of \$192,100. Such funding reduction is for the purpose of eliminating the improvement for security upgrade for special schools.

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H FWM#0080
012963

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Education by the provisions of this act is reduced by the sum of \$86,500. Such funding reduction is for the purpose of eliminating the improvement for equipment for special schools.

H FWM#0081
012964

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Education by the provisions of this act is reduced by the sum of \$80,000. Such funding reduction is for the purpose of eliminating the improvement for public charter schools.

H FWM#0110
012974

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Environment and Conservation by the provisions of this act is reduced by the sum of \$3,000,000. Such funding reduction is for the purpose of eliminating the improvement for state parks maintenance.

H FWM#0111
013003

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Environment and Conservation by the provisions of this act is reduced by the sum of \$132,500. Such funding reduction is for the purpose of eliminating the improvement for three (3) full-time positions and one (1) seasonal position to manage land and facilities transferred to Tims Ford State Park under the Elk River resource management program.

H FWM#0112
013023

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Environment and Conservation by the provisions of this act is reduced by the sum of \$400,000. Such funding reduction is for the purpose of eliminating the improvement for vehicle replacement for the state parks.

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H FWM#0113
013031

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Environment and Conservation by the provisions of this act is reduced by the sum of \$100,000. Such funding reduction is for the purpose of eliminating the improvement for management of natural areas and scenic rivers.

H FWM#0114
013032

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Environment and Conservation by the provisions of this act is reduced by the sum of \$500,000. Such funding reduction is for the purpose of eliminating the improvement for the West Tennessee River Basin Authority major maintenance.

H FWM#0146
013063

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Finance and Administration by the provisions of this act is reduced by the sum of \$2,500,000. Such funding reduction is for the purpose of eliminating the improvement for the Geographic Information System.

H FWM#0162
013064

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of General Services by the provisions of this act is reduced by the sum of \$200,000. Such funding reduction is for the purpose of eliminating the improvement for the State Print Shop.

H FWM#0167
013065

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Health by the provisions of this act is reduced by the sum of \$141,200. Such funding reduction is for the purpose of eliminating the improvement for nine (9) positions for inspection of health care facilities.

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H FWM#0168
013066

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Health by the provisions of this act is reduced by the sum of \$40,000. Such funding reduction is for the purpose of eliminating the improvement for three (3) survey and complaint data positions for health care facilities systems support.

H FWM#0169
013067

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Health by the provisions of this act is reduced by the sum of \$759,600. Such funding reduction is for the purpose of eliminating the improvement for nine (9) positions to perform epidemiological outbreak investigations and comprehensive environmental health studies.

H FWM#0179
013385

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to Higher Education by the provisions of this act is reduced by the sum of \$10,000,000. Such funding reduction is for the purpose of eliminating the improvement for faculty retention and recruiting in high-demand disciplines.

H FWM#0180
013388

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to Higher Education by the provisions of this act is reduced by the sum of \$10,000,000. Such funding reduction is for the purpose of eliminating the improvement for special equipment.

H FWM#0181
013458

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to Higher Education by the provisions of this act is reduced by the sum of \$25,500,000. Such funding reduction is for the purpose of reducing the improvement for operating increases. The remaining appropriation is for the purpose of funding higher operating costs. It is the legislative intent that any tuition increase be limited to five percent (5%).

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H FWM#0182
013456

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to Higher Education by the provisions of this act is reduced by the sum of \$2,000,000. Such funding reduction is for the purpose of eliminating the improvement for debt service on nine million dollars (\$9,000,000) in general obligation notes to procure infrastructure associated with technology initiatives.

H FWM#0183
013455

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to Higher Education by the provisions of this act is reduced by the sum of \$7,500,000. Such funding reduction is for the purpose of eliminating the improvement for research initiatives for the University of Tennessee system.

H FWM#0184
013454

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to Higher Education by the provisions of this act is reduced by the sum of \$5,000,000. Such funding reduction is for the purpose of eliminating the improvement for research initiatives for the State University and Community College System.

H FWM#0230
013452

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Human Services by the provisions of this act is reduced by the sum of \$1,704,000. Such funding reduction is for the purpose of eliminating the improvement for vocational rehabilitation services.

H FWM#0231
013451

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Human Services by the provisions of this act is reduced by the sum of \$1,572,500. The appropriation made to the Department of Children's Services by the provisions of this act is reduced by the sum of \$89,200. Such funding reduction is for the purpose of eliminating the improvement for maintaining the reimbursement level for providers in the child care certificate program at the seventieth percentile.

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H FWM#0236
013449

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Mental Health and Developmental Disabilities by the provisions of this act is reduced by the sum of \$149,200. Such funding reduction is for the purpose of eliminating the improvement for conservatorships for persons with mental illness who require a guardian.

H FWM#0238
013445

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Finance and Administration-Mental Retardation division by the provisions of this act is reduced by the sum of \$76,200. Such funding reduction is for the purpose of eliminating the improvement for contract monitoring.

H FWM#0244
013443

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Military Department by the provisions of this act is reduced by the sum of \$150,000. Such funding reduction is for the purpose of eliminating the improvement for communications costs of the army national guard resulting from a loss of federal funds.

H FWM#0245
013442

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Military Department by the provisions of this act is reduced by the sum of \$250,000. Such funding reduction is for the purpose of eliminating the improvement for a twenty-five percent (25%) supplement to federal tuition assistance for army and air national guard recruiting initiative scholarships in the first year of a three (3) year program.

H FWM#0246
013441

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Military Department by the provisions of this act is reduced by the sum of \$500,000. Such funding reduction is for the purpose of eliminating the improvement for maintenance of armories.

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H FWM#0247
013440

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Military Department by the provisions of this act is reduced by the sum of \$100,000. Such funding reduction is for the purpose of eliminating the improvement for increased maintenance of facilities of the Tennessee Emergency Management Agency.

H FWM#0248
013439

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Military Department by the provisions of this act is reduced by the sum of \$187,100. Such funding reduction is for the purpose of eliminating the improvement for upgrade of information system hardware and software including PC replacement, LAN/WAN connections, and data security.

H FWM#0249
013438

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Military Department by the provisions of this act is reduced by the sum of \$103,400. Such funding reduction is for the purpose of eliminating the improvement for maintenance of facilities of the air national guard.

H FWM#0250
015696

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Military by the provisions of this act is reduced by the sum of \$50,000. Such funding reduction is for the purpose of eliminating the improvement for increased armory utilities costs.

H FWM#0251
015698

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Military by the provisions of this act is reduced by the sum of \$21,000. Such funding reduction is for the purpose of reducing the improvement for the Knoxville and Nashville Airport Joint Use Agreements with the Air National Guard.

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H FWM#0258
013418

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the District Public Defenders Conference by the provisions of this act is reduced by the sum of \$121,400. Such funding reduction is for the purpose of eliminating the improvement for retention of two (2) special drug defenders formerly funded by federal grants.

H FWM#0259
013417

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the District Public Defenders Conference by the provisions of this act is reduced by the sum of \$58,800. Such funding reduction is for the purpose of eliminating the improvement for access to the department of correction's Tennessee offender management information system.

H FWM#0260
013416

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the District Public Defenders Conference by the provisions of this act is reduced by the sum of \$245,800. Such funding reduction is for the purpose of eliminating the improvement for wide area network (WAN) network access.

H FWM#0261
013413

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the District Public Defenders Conference by the provisions of this act is reduced by the sum of \$54,700. Such funding reduction is for the purpose of eliminating the improvement for access to the Tennessee Bureau of Investigation's criminal history system.

H FWM#0263
013022

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Personnel by the provisions of this act is reduced by the sum of \$49,400. Such funding reduction is for the purpose of eliminating the improvement for PC replacement (payback).

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H FWM#0264
013020

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Personnel by the provisions of this act is reduced by the sum of \$33,000. Such funding reduction is for the purpose of eliminating the improvement for replacement of optical jukebox, personnel data storage equipment.

H FWM#0275
013019

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Board of Probation and Parole by the provisions of this act is reduced by the sum of \$1,080,300. Such funding reduction is for the purpose of eliminating the improvement for fifty-six (56) positions in caseload management.

H FWM#0276
013017

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Board of Probation and Parole by the provisions of this act is reduced by the sum of \$500,000. Such funding reduction is for the purpose of eliminating the improvement for caseload management ratio in community corrections.

H FWM#0277
013016

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Board of Probation and Parole by the provisions of this act is reduced by the sum of \$500,000. Such funding reduction is for the purpose of eliminating the improvement for the expansion of the community corrections program.

H FWM#0282
013007

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the department of revenue by the provisions of this act is reduced by the sum of \$1,021,600. Such funding reduction is for the purpose of eliminating the improvement for ten (10) full-time and sixteen (16) part-time positions in tax processing.

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H FWM#0283
013005

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the department of revenue by the provisions of this act is reduced by the sum of \$1,704,400. Such funding reduction is for the purpose of eliminating the improvement for thirty-one (31) positions in audit and compliance.

H FWM#0288
012997

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Safety by the provisions of this act is reduced by the sum of \$137,200. Such funding reduction is for the purpose of eliminating the improvement for one hundred twenty (120) LAN/WAN connections for drivers' licensing.

H FWM#0289
012996

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Safety by the provisions of this act is reduced by the sum of \$105,100. Such funding reduction is for the purpose of eliminating the improvement for ninety-two (92) LAN/WAN connections for title and registration purposes.

H FWM#0290
012994

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Safety by the provisions of this act is reduced by the sum of \$228,600. Such funding reduction is for the purpose of eliminating the improvement for LAN/WAN connections for county clerks for title and registration purposes.

H FWM#0291
012992

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Safety by the provisions of this act is reduced by the sum of \$366,600. Such funding reduction is for the purpose of eliminating the improvement for technical services, data processing and LAN/WAN connections.

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H FWM#0292
012973

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Safety by the provisions of this act is reduced by the sum of \$1,558,900. Such funding reduction is for the purpose of eliminating the improvement for commissioned officers' salary survey.

H FWM#0293
012925

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the department of safety by the provisions of this act is reduced by the sum of \$1,700,000. Such funding reduction is for the purpose of eliminating the improvement for replacement of a highway patrol helicopter.

H FWM#0294
012923

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the department of safety by the provisions of this act is reduced by the sum of \$400,000. Such funding reduction is for the purpose of eliminating the improvement for a highway patrol radio communications upgrade.

H FWM#0295
012922

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the department of safety by the provisions of this act is reduced by the sum of \$124,000. Such funding reduction is for the purpose of eliminating the improvement for additional staffing of two (2) positions in school bus inspection.

H FWM#0299
012921

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the secretary of state by the provisions of this act is reduced by the sum of \$500,000. Such funding reduction is for the purpose of reducing the improvement for the Tennessee Electronic Library.

H FWM#0300
012920

by adding the following new item at the end of Section 10:

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Item _____. The appropriation made to the secretary of state by the provisions of this act is reduced by the sum of \$500,000. Such funding reduction is for the purpose of eliminating the improvement for the Blue Book.

H FWM#0301
012919

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Secretary of State by the provisions of this act is reduced by the sum of \$500,000. Such funding reduction is for the purpose of eliminating the improvement for the voting machine loan fund.

H FWM#0319
012914

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Tennessee bureau of investigation by the provisions of this act is reduced by the sum of \$1,288,200. Such funding reduction is for the purpose of eliminating the improvement for twenty-two (22) forensic scientists positions.

H FWM#0320
012911

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Tennessee bureau of investigation by the provisions of this act is reduced by the sum of \$1,070,700. Such funding reduction is for the purpose of eliminating the improvement for five (5) agents in methamphetamine clandestine labs enforcement.

H FWM#0323
012908

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the department of finance and administration, TennCare program, by the provisions of this act is reduced by the sum of \$10,000,000. Such funding reduction is for the purpose of eliminating the improvement for open enrollment.

H FWM#0329
012906

by adding the following new item at the end of Section 10:

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Item _____. The appropriation made to the department of finance and administration, office of health services, by the provisions of this act is reduced by the sum of \$5,000,000. Such funding reduction is for the purpose of eliminating the improvement for title 33 reform, phase 2.

H FWM#0344
012899

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the department of veterans affairs by the provisions of this act is reduced by the sum of \$62,100. Such funding reduction is for the purpose of eliminating the improvement for three grounds workers for the Memphis Cemetery.

H FWM#0345
012897

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the department of veterans affairs by the provisions of this act is reduced by the sum of \$40,000. Such funding reduction is for the purpose of eliminating the improvement for a dump truck for Knoxville Cemetery.

H FWM#0348
013432

by adding the following new item at the end of Section 10:

Item _____. The appropriation made by the provisions of this act is reduced by the sum of \$131,200,000. Such funding reduction is for the purpose of eliminating the improvement for the salary increases for state employees, higher education employees, and K-12 teachers.

H FWM#0349
013429

by adding the following new item at the end of Section 10:

Item _____. The appropriation made by the provisions of this act is reduced by the sum of \$20,000,000. Such funding reduction is for the purpose of eliminating the improvement for classification-compensation salary adjustments for state employees.

H FWM#0350
013425

by adding the following new item at the end of Section 10:

Item _____. The appropriation made by the provisions of this act is reduced by the sum of \$2,500,000. Such funding reduction is for the purpose of eliminating the improvement for the juvenile justice reform legislation.

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H FWM#0351
013423

by adding the following new item at the end of Section 10:

Item _____. The appropriation made by the provisions of this act is reduced by the sum of \$2,500,000. Such funding reduction is for the purpose of eliminating the improvement for administration legislation.

H FWM#0354

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$7,900,000 to the department of education for the sole purpose of fully funding the Basic Education Program.

H FWM#0355

by deleting Item 4 from Section 12 of the bill as amended and by substituting instead the following language:

Item 4. There is appropriated to the State Treasurer the sum of one hundred thousand dollars (\$100,000) from the Criminal Injuries Compensation Fund for the purpose of granting the same to the organization created by Senate Bill 1072 / House Bill 65; provided, the organization submits to the State Treasurer a plan specifying the use of the moneys and such plan is approved by the State Treasurer. No funds appropriated in this item may be used for lobbying public officials.

H FWM#0324
016121

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$10,000,000 to the TennCare bureau for the sole purpose of fully funding the actuarial study.

H FWM#0356

by adding the following new item to Section 50 of the bill as amended:

Item _____. Notwithstanding any provision of law or this act to the contrary, no increase in compensation for staff, faculty or administrators in excess of increases in compensation granted pursuant to a general salary policy provided by the state shall be implemented in any institution of higher education until a compensation plan for each campus and administrative office has been submitted to and approved by the Board of Trustees of the University of Tennessee or the Board of Regents, respectively. Such plans shall also be submitted to the commissioner of Finance and Administration and the Office of Legislative Budget Analysis.

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H FWM#0358

by deleting Section 47 of the bill as amended and by substituting instead the following language:

SECTION 47. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. From state revenues and other funds available to the general fund in excess of requirements for the fiscal year ending June 30, 2002, the Commissioner of Finance and Administration shall establish the Revenue Fluctuation Reserve in such amount as may be available under the provisions of Tennessee Code Annotated, Section 9-4-211.

Item 2. From state revenues and other funds available to the general fund in excess of requirements for the fiscal year ending June 30, 2003, the Commissioner of Finance and Administration shall establish the Revenue Fluctuation Reserve in such amount as may be available under the provisions of Tennessee Code Annotated, Section 9-4-211.

H FWM#0359

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Finance and Administration for distribution to the appropriate entities for the sole purpose of implementing Chapters 587, 636, 649, 658, 697, 767, 792, and 793 of the Public Acts of 2002. It is the legislative intent that if funding is earmarked for such implementation in such bills that the funds appropriated in this item be reduced accordingly. In addition, if the fiscal note on any bill states that state revenues would be increased in an amount equal to or greater than state expenditures as a result of the enactment of such bill, then there is appropriated a sum sufficient from such increased revenue to the appropriate entity, as determined by the Commissioner of Finance and Administration, to implement such bill.

H FWM#0360

by adding the following new items at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Finance and Administration for distribution to the appropriate entities for the sole purpose of implementing Senate Bill 2425 / House Bill 2500, Senate Bill 2522 / House Bill 2643, Senate Bill 2942 / House Bill 2895, Senate Bill 2388 / House Bill 2530, Senate Bill 2699 / House Bill 2484, Senate Bill 2392 / House Bill 2271, Senate Bill 1847 / House Bill 1818, Senate Bill 2027 / House Bill 2277, Senate Bill 2929 / House Bill 2882, Senate Bill 2233 / House Bill 2128, Senate Bill 2954 / House Bill 2907, Senate Bill 2703 / House Bill 2592, Senate Bill 2809 / House Bill 2064, Senate Joint Resolution 520, Senate Bill 2405 / House Bill 2339, Senate Bill 2654 / House Bill 2258, Senate Bill 2773 / House Bill 2250, House Joint Resolution 746, Senate Bill 2628 / House Bill 2301, Senate Bill 1958 / House Bill 1985, Senate Bill 2429 / House Bill 2796, Senate Bill 3089 / House Bill 3161, Senate Bill 2562, House Bill 2546, Senate Bill 2380 / House Bill 3176, Senate Bill 3076 / House Bill 3148, Senate Bill 3192 / House Bill 3232, Senate Bill 2534 / House Bill 2450, Senate Bill 887 / House Bill 1131, Senate Bill 2919 / House Bill 2789, Senate Bill 2624 / House Bill 2286, Senate Bill 3135 / House Bill 3116, Senate Bill 2596 / House Bill 2377, Senate Bill 687 / House Bill 367, Senate Bill 3051 / House Bill 2995, Senate Bill 1471 / House Bill 884, Senate Bill 1303 / House Bill 1893, Senate Bill 1494 / House Bill 674, Senate Bill 1243 / House Bill 1323, Senate Bill 1072 / House Bill 65, if such bills become law. It is the legislative intent that if funding is earmarked for such implementation in such bills that the funds appropriated in this item be reduced accordingly. In addition, if the fiscal note on any bill states that state revenues would be increased in an amount equal to or greater than state expenditures as a result of the enactment of such bill, then there is appropriated a sum sufficient from such increased revenue to the appropriate entity, as determined by the Commissioner of Finance and Administration, to implement such bill.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Finance and Administration for distribution to the appropriate entities for the sole purpose of implementing Senate Bill 2425 / House Bill 2500 relative to housekeeping changes in the retirement system.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the public defenders' conference for the sole purpose of implementing Chapter 691 of the Public Acts of 2002, including establishing two (2) positions in district 19.

H FWM#0363

by adding the following new item at the end of Section 12:

Item _____. The appropriation made to the State Treasurer by Section 4 of this act for risk management is increased by a sum sufficient not to exceed \$150,000. Such funding increase is for the purpose of purchasing insurance.

H FWM#0364

by adding a new sentence at the end of Section 7, Item 5 to read:

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This appropriation is subject to funding of the recommended improvement of one million dollars (\$1,000,000) for the Tennessee Arts Commission to continue grants to Tennessee artists and local arts organizations. If the improvement is reduced, this grant shall be reduced in a proportional amount.

AND FURTHER AMEND by deleting from Section 7, Item 1 in its entirety and by substituting a new Item 1 to read:

Item 1. It is the legislative intent that annual dues assessed by the Council of State Governments (CSG) and the National Conference of State Legislatures (NCSL) be paid quarterly and timely from the funds appropriated in Section 1, Title III-2, Item 1.2 (Intergovernmental Conferences and Special Operations). CSG dues for 2002-2003 shall be remitted in four (4) equal payments \$26,794.25 (\$107,177 annualized), and NCSL dues shall be remitted in four (4) equal payments \$31,088.75 (\$124, 355 annualized).

AND FURTHER AMEND by deleting from Section 9, Item 10 in its entirety and by renumbering the subsequent items.

AND FURTHER AMEND by adding to Section 9 the following new item to read:

Item _____. To the Administrative Office of the Courts a sum sufficient not to exceed \$44,000 for benefit of the Hillsman Taylor Library in Memphis. The appropriation shall be funded from gift funds.

AND FURTHER AMEND by deleting from Section 29, Item 16 in its entirety and by substituting a new item to read:

Item 16. From the appropriation to the Tennessee Student Assistance Awards in Section 1, Title III-10, any unexpended balance at June 30, 2003 and/or any prior year appropriations recovered from prior recipients by June 30, 2003, shall not revert to the fund balance but shall be added to the reserve balances now held by the Student Assistance Corporation for the Student Loan Program authorized by Tennessee Code Annotated, Title 49, Chapter 4, Part 5.

AND FURTHER AMEND by adding to Section 29, Item 21 a new paragraph to read:

The following proposed capital outlay project, to be funded from institutional and local funds, is in addition to those projects listed on pages A-141 and A-142 in the 2002-2003 Budget Document:

Middle Tennessee State University Airplane Parking Facility \$ 260,000

AND FURTHER AMEND by adding to Section 36 the following new items to read:

Item _____. To the Department of Personnel in Section 1, Title III-2, Item 4 to fund the Leadership Development Initiative (LDI).

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Item _____. From the unexpended balance of the appropriation made under Section 1, Title III-21, Item 13 of the 2001 Appropriations Act the sum of \$140,000 is hereby reappropriated to be expended in the 2002-2003 fiscal year as a grant to the City of Spencer for the sewer system project.

AND FURTHER AMEND by deleting Section 39 in its entirety and substituting the following as a new Section 39:

SECTION 39. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	<u>2001-2002</u>	<u>2002-2003</u>
District Attorneys General Conference		
1. District Attorneys General	\$ 7,800	\$ 52,600
Secretary of State		
1. Secretary of State	\$ 0	\$270,400
2. State Library and Archives	600,000	600,000
3. Economic Council on Women	5,000	0
Total Secretary of State	\$605,000	\$870,400
Commissions		
1. Commission on Aging and Disability	\$175,000	\$2,100,000
Veterans Affairs		
1. Veterans Affairs	\$124,800	\$184,800
Agriculture		
1. Regulatory Services	\$ 0	\$340,800
Environment and Conservation		
1. Water Supply	\$700,000	\$700,000
Education		
1. Improving America's Schools Act (IASA)	\$ 0	\$330,000
2. Accountability	0	100,000
3. Special Education Services	24,224,200	51,152,900
4. Vocational Education Programs	0	1,732,300
5. Tennessee Infant-Parent Services School	0	677,000
Total Education	\$24,224,200	\$53,992,200
Higher Education		
1. Tennessee Higher Education Commission	\$0	\$ 93,500
Commerce and Insurance		
1. Fire and Codes Enforcement Academy	\$ 109,200	\$109,200

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1. Tennessee Emergency Management Agency	\$0	\$4,844,400
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Health

1. Executive Administration	\$ 107,700	\$ 107,700
2. Laboratory Services	159,800	213,000
3. Policy Planning and Assessment	125,000	150,000
4. Maternal and Child Health	528,000	528,000
5. Communicable and Environmental Disease Services		
	140,600	8,863,800
6. Population-Based Services	697,400	853,100
7. Women, Infants, and Children (WIC)	2,796,500	2,796,500
8. Local Health Services	8,528,900	19,972,600
Total Health	\$13,083,900	\$33,484,700

TOTAL	\$39,029,900	\$96,772,600
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The Commissioner of Finance and Administration is authorized to establish 108 full-time positions and to allocate them to the appropriate organizational units. At June 30, 2002, any unexpended balances of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 2002.

AND FURTHER AMEND by adding to Section 45 a new item to read:

Item _____. From the appropriations made for information systems activities in this act and other acts of the legislature, the Commissioner of Finance and Administration is authorized to transfer from professional services to payroll amounts budgeted for contractors. Additionally, the Commissioner of Finance and Administration is authorized to increase authorized positions in order to replace contractors with state employees.

AND FURTHER AMEND by deleting from Section 48, Item 7 in its entirety and by renumbering the subsequent items.

AND FURTHER AMEND by adding to Section 48 the following items to read:

Item _____. It being determined to be in the public interest and for a public purpose, from funds in the TennCare Reserve Fund, there is appropriated a sum sufficient for the purpose of making "safety net" payments to Access Med Plus providers for timely filed, appropriately submitted, properly adjudicated, clean provider claims for TennCare covered services for the period of May 10, 2000 through February 1, 2001. These payments will be limited to the amount determined by the Liquidator in Tennessee Coordinated Care Network's liquidation as owing in accordance with the appropriate terms and conditions of contracts between such providers and Tennessee Coordinated Care Network. The Commissioner of Finance and Administration, subject to the concurrence of the Comptroller of the Treasury, may develop a payment methodology for such payments.

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Item _____. It being determined to be in the public interest and for a public purpose, from the funds available to the TennCare program, or from funds in the TennCare Reserve Fund, there is appropriated an amount, not to exceed \$38,000,000, to be used for the purpose of satisfying pre-rehabilitation claims of TennCare providers for outstanding receivables from Xantus Healthplan of Tennessee, Inc. for actual services rendered to TennCare recipients prior to March 31, 1999. The Commissioner of Finance and Administration, subject to the concurrence of the Comptroller of the Treasury, may develop a payment methodology for such payments. Any such payments shall be made only after the TennCare Bureau establishes that such payments are in accordance with the appropriate terms and conditions of contracts between such providers and Xantus Healthplan of Tennessee, Inc.

Item _____. Subject to the availability of revenue from intergovernmental transfers, there is hereby appropriated to TennCare, from said revenues, \$1,000,000 in the fiscal year ending June 30, 2003 for the purpose of implementing the Behavioral Unit pilot program as recommended by the State Mental Health Task Force. The pilot program will be limited to a total of 150 beds for the life of the three year pilot. The Commissioner of Finance and Administration is authorized to adjust federal aid accordingly.

Item _____. The Commissioner of Finance and Administration is authorized to recognize revenue related to the application fee for Medical Eligibility underwriting and to use such funds to offset the cost of administering the TennCare program.

AND FURTHER AMEND by adding a new section at the end of the bill as amended to read:

SECTION _____. The provisions of this section shall take effect upon becoming law, the public welfare requiring it.

Item 1. The unexpended balance of the capital outlay appropriation made to Austin Peay State University for tornado damage in the 1999 Appropriations Act, Section 55, Item 3, shall be transferred to the general fund in the fiscal year ending June 30, 2002.

Item 2. In addition to the appropriation made in the 2001 Appropriation Act, Section 1, Title 11 for Indigent Defendants' Counsel, there is hereby appropriated a sum not to exceed \$2,000,000 in the fiscal year ending June 30, 2002.

Item 3. Any unexpended balances of the appropriations made in Chapter 587, Public Acts of 2002, for homeland security purposes are hereby reappropriated to be expended in the 2002-2003 fiscal year and such appropriations shall be carried forward in a reserve into the fiscal year beginning July 1, 2002.

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Item 4. From the appropriations made in the 2001 Appropriations Act that were reallocated for one-time costs associated with homeland security purposes in the departments of Agriculture, Safety, and Commerce and Insurance, the Commissioner of Finance and Administration is authorized to carry forward in a reserve into the fiscal year beginning July 1, 2002 appropriation amounts not to exceed:

Agriculture	\$155,000
Safety	\$600,000
Commerce and Insurance	\$ 49,000

Item 5. From the appropriations made for Disaster Relief Grants in the 2001 Appropriations Act, Section 1, Title III-21, Item 7 and in this act in Section 1, Title III-21, Item 7, the Commissioner of Finance and Administration is authorized to allocate funds to provide for National Guard costs associated with homeland security purposes.

AND FURTHER AMEND by adding a new section to read:

SECTION ____.

Item 1. The appropriation made to K-12 Education by the provisions of Section 4 of this act is increased by the sum of \$80,000. Such increase is for the purpose of funding the public charter schools program from federal funds.

Item 2. The unexpended balances of capital outlay projects for state parks funded from the revenues generated by Chapter 1029, Public Acts of 1992, shall be transferred to the debt service fund in the fiscal year ending June 30, 2003 to provide for debt service requirement on state parks facilities bonds.

Item 3. From the funds appropriated in Sections 1 and 4 of this act to the Department of Childrens Services which are related to the Brian A., et al. V. Sundquist and Hattaway law suit and the resulting agreement, the Commissioner of Finance and Administration is authorized to establish 107 positions in lieu of funding a similar number of community services agency (CSA) existing positions.

Item 4. In recognition of the transfer of TennCare eligibility determination from the Department of Health to the Department of Human Services, the Commissioner of Finance and Administration is authorized to establish 254 positions in Human Services. The Commissioner is further authorized to make the appropriate reductions in funding for Health and the necessary increases in Human Services.

Item 5. In addition to the appropriations made in Sections 1 and 4 of this act to the Department of Human Services, there is hereby appropriated the sum of \$403,400 (\$137,000 state appropriation / \$266,400 federal) to provide for the transfer of the responsibility for child support appeals from the Shelby County Juvenile Court to the Department of Human Services. The Commissioner of Finance and Administration is authorized to establish ten (10) additional positions. This appropriation is subject to Senate Bill 2735 / House Bill 2425 becoming a law.

Item 6. In addition to the appropriation made in Section 1, Title III-21, Item 19 of this act for a postage rate increase, there is hereby appropriated the sum of \$770,100 to provide for a postage rate increase effective in June 2002. This appropriation shall be subject to the provisions of Section 35, Item 11 of this act.

Item 7. In addition to the appropriation made in Section 1, Title II of this act to the Judicial branch, there is hereby appropriated the sum of \$350,000 to the Guardian ad Litem Program.

H FWM#0352

by adding the following new item at the end of Section 10:

Item _____. The appropriation made by Section 1 of this act is reduced by the sum of \$1,499,900. Such funding reduction is for the purpose of eliminating the improvement for the Tennessee Wildlife Resources Agency salary survey pay increase.

H FWM#0353

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Finance and Administration for distribution to the appropriate entities for the sole purpose of implementing Senate Bill 2985 / House Bill 3027, if such bill becomes law.

H FWM#0375

by adding the following new item at the end of Section 12:

Item _____.(a) There is hereby appropriated a sum sufficient from employer FICA tax savings from the \$125 Cafeteria Plan (Flexible Benefits Plan) to provide for the employer match to the state's 401(k) plan for state employees compensated on the centralized state payroll system pursuant to the provisions of Tennessee Code Annotated, Title 8, Chapter 25. Should this amount be insufficient to provide for the twenty dollar (\$20) match, there is appropriated a sum sufficient, not to exceed \$2,829,000 to supplement funding for such match.

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(b) There is hereby appropriated a sum sufficient from employer FICA tax savings from the §125 Cafeteria Plan (Flexible Benefits Plan) maintained by the University of Tennessee to provide for the employer match to the state's 401(k) plan for employees of institutions under the University of Tennessee system pursuant to the provisions of Tennessee Code Annotated, Title 8, Chapter 25. Should this amount be insufficient to provide for the twenty dollar (\$20) match, there is appropriated a sum sufficient, not to exceed \$713,000, to supplement funding for such match.

(c) There is hereby appropriated a sum sufficient from employer FICA tax savings from the §125 Cafeteria Plan (Flexible Benefits Plan) maintained by the board of regents system to provide for the employer match to the state's 401(k) plan for employees of institutions under the board of regents system pursuant to the provisions of Tennessee Code Annotated, Title 8, Chapter 25. Should this amount be insufficient to provide for the twenty dollar (\$20) match, there is appropriated a sum sufficient, not to exceed \$1,497,000, to supplement funding for such match.

(d) The state treasurer shall have the authority to contract with optional retirement plan vendors to provide investment products to optional retirement plan participants under the state's 401(k) program.

H FWM#0376

by deleting the following language from Section 1 of the bill as amended:

30. State Funding Board

There is hereby appropriated to the State Funding Board for interest and reduction of the state debt, for debt service expense and interest on proposed bond authorization:

<u>2002-2003</u>		
1.	Interest on State Debt	\$39,636,000.00
2.	Retirement of Bonds	67,354,000.00
3.	Debt Service Expense	1,000,000.00
4.	Amortization of Authorized and Unissued Construction Bonds	62,112,000.00
5.	Amortization of Authorized and Unissued Highway Bonds	77,000,000.00
Total Title III-30		\$247,102,000.00

The appropriation made under Section 1, Title III-30, Items 1, 2, 3, 4 and 5 is made under the provisions of Tennessee Code Annotated, Title 9, Chapter 9, and may be increased to such amounts as will be necessary to carry out such provisions.

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31. Capital Outlay

There is hereby appropriated to each of the departments and agencies enumerated herein, funds for major maintenance, equipment, construction and acquisition of land, and for expansion, improvement, betterments and repairs to existing structures. The Commissioner of Finance and Administration is hereby authorized to transfer the amounts herein appropriated to the Capital Projects Fund for the use of the said departments and agencies.

	<u>2002-2003</u>
1. Department of Children's Services	\$ 200,000.00
2. Department of Education	260,000.00
3. Department of Environment and Conservation	3,560,000.00
4. Department of Finance and Administration	3,500,000.00
5. Department of Military	90,000.00
6. Department of Safety	100,000.00
7. Tennessee Board of Regents	11,700,000.00
8. University of Tennessee	12,695,000.00
9. Department of Finance and Administration - Statewide Maintenance	19,643,000.00
Total Title III-31	\$51,748,000.00

and by substituting instead the following language:

30. State Funding Board

There is hereby appropriated to the State Funding Board for interest and reduction of the state debt, for debt service expense and interest on proposed bond authorization:

	<u>2002-2003</u>
1. Interest on State Debt	\$39,636,000.00
2. Retirement of Bonds	67,354,000.00
3. Debt Service Expense	1,000,000.00
4. Amortization of Authorized and Unissued Construction Bonds	48,897,150.00
5. Amortization of Authorized and Unissued Highway Bonds	77,000,000.00
Total Title III-30	\$233,887,150.00

The appropriation made under Section 1, Title III-30, Items 1, 2, 3, 4 and 5 is made under the provisions of Tennessee Code Annotated, Title 9, Chapter 9, and may be increased to such amounts as will be necessary to carry out such provisions.

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31. Capital Outlay

There is hereby appropriated to each of the departments and agencies enumerated herein, funds for major maintenance, equipment, construction and acquisition of land, and for expansion, improvement, betterments and repairs to existing structures. The Commissioner of Finance and Administration is hereby authorized to transfer the amounts herein appropriated to the Capital Projects Fund for the use of the said departments and agencies.

		<u>2002-2003</u>
1.	Department of Safety	100,000.00
2.	Tennessee Board of Regents	4,270,000.00
3.	University of Tennessee	3,900,000.00
4.	Department of Finance and Administration - Statewide Maintenance	19,643,000.00
Total Title III-31		\$27,913,000.00

H FWM#0377

by adding the following new item at the end of Section 36 of the bill as amended:

Item _____. To the department of commerce and insurance in Section 36, Item 15. The funds carried forward shall be used to equip the new Fire and Codes Academy.

H FWM#0378

by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The general assembly finds and acknowledges that state employees, including employees of the University of Tennessee, the state board of regents, and the judicial and legislative branches, have suffered significant hardships as a result of the funding, personnel and service reductions required by the Essential Government Services Act of 2002 (House Bill 3301/Senate Bill 3256). It is the intent of the general assembly to redress the loss of salary, compensatory time, and annual leave time that directly resulted from such Act. A plan for such redress shall be developed by the University of Tennessee board of trustees for its employees, the board of regents for its employees, the administrative office of the courts for employees of the judicial branch, the speaker of the house of representatives and the speaker of the senate for employees of the legislative branch, and the department of personnel for all other state employees. Each plan shall provide for redress to any affected employee, including employees who worked during the period July 1-5, 2002, and employees who were furloughed during such period. Each plan other than the legislative branch plan shall be subject to approval by the state funding board in such manner as it deems appropriate; provided, that the funding board shall ensure consistency among the plans. All such plans shall be implemented not later than September 1, 2002. A sum sufficient is appropriated to the department of finance and administration for distribution to the appropriated entities to implement the provisions of this section.

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Rep. Kisber moved adoption of Amendment No. 1 to Amendment No. 2 as follows:

Amendment No. 1 to 2

AMEND House Bill No. 2308

By adding the following new item at the end of Section 12:

Item 1. There is appropriated the sum of \$16,280,000 for the state share of a two percent (2%) across-the-board teachers' salary increase in the Basic Education Program effective January 1, 2003.

Item 2. There is appropriated the sum of \$8,183,600 to provide an average two percent (2%) salary increase effective January 1, 2003 for all higher education employees. Subject to approval by the Commissioner of Finance and Administration, the Tennessee Higher Education Commission shall prepare a schedule to allocate this appropriation. Such schedule shall be submitted to the Office of Legislative Budget Analysis.

Item 3. There is appropriated the sum of \$14,745,000 to provide a three percent (3%) across-the-board salary increase effective January 1, 2003 for each state employee and to adjust the appropriate salary ranges in a like manner. The salary increase is not applicable to employees in positions which come under the provisions of a statutory salary plan; provided, however, that employees who come under the provisions of a statutory salary plan shall receive compensation increases in accordance with the provisions of such statutory salary plan.

Item 4. It is the legislative intent that the appropriations made in this amendment are not in addition to funds otherwise appropriated for such purposes but shall be cumulative to the amounts specified in the above items.

AND FURTHER AMEND by deleting the following language from the bill as amended by House Amendment No. 2 (HA1273):

Item _____. The appropriation made to the Department of Safety by the provisions of this act is reduced by the sum of \$1,558,900. Such funding reduction is for the purpose of eliminating the improvement for commissioned officers' salary survey.

AND FURTHER AMEND by deleting the following language from the bill as amended by House Amendment No. 2 (HA1273):

Item _____. The appropriation made by Section 1 of this act is reduced by the sum of \$1,499,900. Such funding reduction is for the purpose of eliminating the improvement for the Tennessee Wildlife Resources Agency salary survey pay increase.

Rep. Hargett moved the previous question on Amendment No. 1 to Amendment No. 2, which motion prevailed.

On motion, Amendment No. 1 to Amendment No. 2 was adopted.

Rep. Kisber moved adoption of Amendment No. 2 to Amendment No. 2 as follows:

Amendment No. 2 to 2

AMEND House Bill No. 2308 By deleting H FWM#360 in its entirety and substituting instead the following:

H FWM#0360

by adding the following new items at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Finance and Administration for distribution to the appropriate entities for the sole purpose of implementing Senate Bill 2425 / House Bill 2500, Senate Bill 2522 / House Bill 2643, Senate Bill 2942 / House Bill 2895, Senate Bill 2388 / House Bill 2530, Senate Bill 2699 / House Bill 2484, Senate Bill 2392 / House Bill 2271, Senate Bill 1847 / House Bill 1818, Senate Bill 2027 / House Bill 2277, Senate Bill 2929 / House Bill 2882, Senate Bill 2233 / House Bill 2128, Senate Bill 2954 / House Bill 2907, Senate Bill 2703 / House Bill 2592, Senate Bill 2809 / House Bill 2064, Senate Joint Resolution 520, Senate Bill 2405 / House Bill 2339, Senate Bill 2654 / House Bill 2258, Senate Bill 2773 / House Bill 2250, House Joint Resolution 746, Senate Bill 2628 / House Bill 2301, Senate Bill 1958 / House Bill 1985, Senate Bill 2429 / House Bill 2796, Senate Bill 3089 / House Bill 3161, Senate Bill 2562, House Bill 2546, Senate Bill 2380 / House Bill 3176, Senate Bill 3076 / House Bill 3148, Senate Bill 3192 / House Bill 3232, Senate Bill 2534 / House Bill 2450, Senate Bill 887 / House Bill 1131, Senate Bill 2919 / House Bill 2789, Senate Bill 2624 / House Bill 2286, Senate Bill 3135 / House Bill 3116, Senate Bill 2596 / House Bill 2377, Senate Bill 687 / House Bill 367, Senate Bill 3051 / House Bill 2995, Senate Bill 1471 / House Bill 884, Senate Bill 1303 / House Bill 1893, Senate Bill 1494 / House Bill 674, Senate Bill 1243 / House Bill 1323, Senate Bill 1072 / House Bill 65, Senate Bill 899 / House Bill 1334, Senate Joint Resolution 567, Senate Bill 3018 / House Bill 3026, Senate Joint Resolution 534, Senate Bill 3143 / House Bill 3178, House Joint Resolution 1037, Senate Bill 174 / House Bill 230, Senate Bill 1810 / House Bill 1716, Senate Bill 2932 / House Bill 2885, Senate Bill 449 / House Bill 1488, Senate Bill 41 / House Bill 1617, Senate Bill 3255 / House Bill 3300, House Joint Resolution 1181, House Resolution 406, House Joint Resolution 1191, if such bills become law. It is the legislative intent that if funding is earmarked for such implementation in such bills that the funds appropriated in this item be reduced accordingly. In addition, if the fiscal note on any bill states that state revenues would be increased in an amount equal to or greater than state expenditures as a result of the enactment of such bill, then there is appropriated a sum sufficient from such increased revenue to the appropriate entity, as determined by the Commissioner of Finance and Administration, to implement such bill.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Finance and Administration for distribution to the appropriate entities for the sole purpose of implementing Senate Bill 2425 / House Bill 2500 relative to housekeeping changes in the retirement system.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the public defenders' conference for the sole purpose of implementing Chapter 691 of the Public Acts of 2002, including establishing two (2) positions in district 19.

On motion, Amendment No. 2 to Amendment No. 2 was adopted.

Rep. Head moved adoption of Amendment No. 3 to Amendment No. 2 as follows:

Amendment No. 3 to 2

AMEND House Bill No. 2308 By adding the following new item at the end of Section 12:

Item _____. The department of education is authorized to reopen Camp Clement using existing resources of the department.

On motion, Amendment No. 3 to Amendment No. 2 was adopted.

Rep. McDaniel moved adoption of Amendment No. 4 to Amendment No. 2 as follows:

Amendment No. 4 to 2

AMEND House Bill No. 2308 by adding the following new item at the end of Section 12:

Item _____. The appropriation made to the department of agriculture by the provisions of this act is increased by the sum of \$2,500,000 for the sole purpose of funding the boll weevil eradication program. It is the legislative intent that this appropriation be non-recurring.

On motion, Amendment No. 4 to Amendment No. 2 was adopted by the following vote:

Ayes	41
Noes	37
Present and not voting	3

Representatives voting aye were: Bone, Boyer, Briley, Buck, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Fitzhugh, Ford, Fraley, Garrett, Head, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McKee, Montgomery, Overbey, Phelan, Phillips, Pinion, Rinks, Roach, Sands, Scroggs, Shaw, Shepard, Vincent, Walker, West, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 41.

Representatives voting no were: Armstrong, Baird, Beavers, Black, Brooks, Brown, Bunch, Buttry, Casada, Chumney, DeBerry J, DeBerry L, Dunn, Ferguson, Fowlkes, Givens, Godsey, Goins, Hargett, Hood, Jones S, Jones U, Kent, Langster, McDonald, McMillan, Miller, Newton, Odom, Pleasant, Rowland, Sargent, Stanley, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson) -- 37.

Representatives present and not voting were: Bowers, Mumpower, Tidwell -- 3.

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Rep. Armstrong moved adoption of Amendment No. 5 to Amendment No. 2 as follows:

Amendment No. 5 to 2

AMEND House Bill No. 2308 By adding the following item at the end of Section 12:

Item ____ In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one million five hundred thousand dollars (\$1,500,000) to the department of education for the sole purpose of converting public television stations from analog to digital equipment. Such funds shall be divided equally among the state's public television stations.

Rep. Hargett moved that Amendment No. 5 to Amendment No. 2 be tabled, which motion was immediately withdrawn.

On motion, Amendment No. 5 to Amendment No. 2 failed by the following vote:

Ayes	36
Noes	40
Present and not voting	1

Representatives voting aye were: Armstrong, Bone, Bowers, Brooks, Brown, Caldwell, Chumney, Davidson, DeBerry J, DeBerry L, Ferguson, Fitzhugh, Givens, Hargrove, Hood, Johnson, Jones U, Kernell, Langster, Maddox, McDaniel, Miller, Phelan, Pinion, Ridgeway, Sands, Shaw, Shepard, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), West, White, Windle -- 36.

Representatives voting no were: Baird, Beavers, Black, Boyer, Buck, Bunch, Buttry, Casada, Clem, Cole (Carter), Cole (Dyer), Curtiss, Dunn, Ford, Fowlkes, Fraley, Garrett, Goins, Hagood, Head, Kent, McDonald, McKee, Montgomery, Newton, Odom, Pleasant, Rinks, Roach, Rowland, Sargent, Scroggs, Sharp, Tidwell, Todd, Vincent, Whitson, Winningham, Wood, Mr. Speaker Naifeh -- 40.

Representatives present and not voting were: Bittle -- 1.

A motion to reconsider was tabled.

Rep. Newton moved the previous question on Amendment No. 2 as amended, which motion prevailed.

Rep. Kisber moved that Amendment No. 2 as amended, be adopted which motion prevailed.

Rep. Buck moved the previous question, which motion failed by the following vote:

Ayes	38
Noes	42
Present and not voting	2

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Representatives voting aye were: Armstrong, Baird, Bittle, Bone, Buck, Buttry, Caldwell, Casada, Clem, Davis (Washington), Ford, Fraley, Garrett, Goins, Hagood, Head, Hood, McDaniel, McKee, Montgomery, Mumpower, Odom, Overbey, Roach, Sargent, Scroggs, Sharp, Shaw, Shepard, Tindell, Todd, Turner (Davidson), Vincent, Walker, West, Windle, Wood, Mr. Speaker Naifeh -- 38.

Representatives voting no were: Beavers, Black, Bowers, Boyer, Briley, Brooks, Brown, Chumney, Cole (Carter), Curtiss, Davidson, DeBerry J, DeBerry L, Ferguson, Fitzhugh, Fowlkes, Givens, Hargett, Hargrove, Harwell, Johnson, Jones U, Kent, Kernell, Langster, Maddox, McMillan, Miller, Newton, Phelan, Pinion, Pleasant, Ridgeway, Rowland, Sands, Stanley, Towns, Turner (Hamilton), Turner (Shelby), White, Whitson, Winningham -- 42.

Representatives present and not voting were: Bunch, Tidwell -- 2.

Rep. Turner (Davidson) moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. U. Jones moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Hargett moved the previous question, which motion failed by the following vote:

Ayes	55
Noes	34

Representatives voting aye were: Armstrong, Baird, Bittle, Black, Bone, Boyer, Buck, Bunch, Buttry, Caldwell, Casada, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davis (Washington), Dunn, Ford, Garrett, Godsey, Goins, Hagood, Hargett, Harwell, Head, Hood, Johnson, Kent, Kisber, McCord, McDonald, McKee, Montgomery, Mumpower, Newton, Odom, Overbey, Phelan, Pinion, Pleasant, Roach, Rowland, Sargent, Scroggs, Sharp, Shaw, Tidwell, Tindell, Todd, Turner (Davidson), Vincent, Walker, West, Wood, Mr. Speaker Naifeh -- 55.

Representatives voting no were: Arriola, Beavers, Bowers, Briley, Brooks, Brown, Chumney, Davidson, DeBerry J, DeBerry L, Ferguson, Fitzhugh, Fowlkes, Fraley, Givens, Hargrove, Jones U, Kernell, Langster, Lewis, Maddox, McMillan, Miller, Ridgeway, Sands, Shepard, Stanley, Towns, Turner (Hamilton), Turner (Shelby), White, Whitson, Windle, Winningham -- 34.

Rep. Brooks moved that Amendment No. 5 be withdrawn, which motion prevailed.

Rep. Turner (Davidson) moved the previous question, which motion was immediately withdrawn.

Rep. Stanley moved that Amendment No. 6 be withdrawn, which motion prevailed.

Rep. Stanley moved adoption of Amendment No. 7 as follows:

Amendment No. 7

AMEND House Bill No. 2308 By deleting the following language from the bill as amended:

Item _____. The appropriation made to Higher Education by the provisions of this act is reduced by the sum of \$25,500,000. Such funding reduction is for the purpose of reducing the improvement for operating increases. The remaining appropriation is for the purpose of funding higher operating costs. It is the legislative intent that any tuition increase be limited to five percent (5%).

and by substituting instead the following language:

Item _____. The appropriation made to Higher Education by the provisions of this act is reduced by the sum of \$25,500,000. Such funding reduction is for the purpose of reducing the improvement for operating increases. The remaining appropriation is for the purpose of funding higher operating costs. It is the legislative intent that any undergraduate tuition increase be limited to seven and one-half percent (7.5%).

On motion, Amendment No. 7 was adopted.

Rep. Buck moved the previous question, which motion failed by the following vote:

Ayes	51
Noes	36
Present and not voting	1

Representatives voting aye were: Baird, Beavers, Black, Bone, Boyer, Buck, Bunch, Buttry, Caldwell, Casada, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davis (Washington), Dunn, Ford, Fowlkes, Garrett, Godsey, Goins, Hagood, Hargett, Harwell, Head, Hood, Johnson, Kent, Kisber, McDaniel, McDonald, McKee, Montgomery, Mumpower, Newton, Odom, Phelan, Pleasant, Roach, Rowland, Sargent, Sharp, Shaw, Stanley, Tidwell, Todd, Turner (Davidson), Vincent, Walker, West, Mr. Speaker Naifeh -- 51.

Representatives voting no were: Armstrong, Arriola, Bittle, Bowers, Briley, Brooks, Brown, Chumney, Davidson, DeBerry J, DeBerry L, Ferguson, Fitzhugh, Fraley, Givens, Hargrove, Jones U, Langster, Lewis, Maddox, McMillan, Miller, Overbey, Ridgeway, Sands, Scroggs, Shepard, Tindell, Towns, Turner (Hamilton), Turner (Shelby), White, Whitson, Windle, Winningham, Wood -- 36.

Representatives present and not voting were: Kernell -- 1.

Rep. Head moved that Amendment No. 8 be withdrawn, which motion prevailed.

Rep. Winningham moved adoption of Amendment No. 9 as follows:

Amendment No. 9

AMEND House Bill No. 2308 by adding the following new item at the end of Section 12:

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Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$810,000 to the department of human services to be equally divided among the human resource agencies.

On motion, Amendment No. 9 failed by the following vote:

Ayes	30
Noes	49

Representatives voting aye were: Armstrong, Bowers, Briley, Chumney, Curtiss, DeBerry J, DeBerry L, Ferguson, Fitzhugh, Fraley, Givens, Hargrove, Jones U, Kernell, Langster, Maddox, McDaniel, Phelan, Ridgeway, Sands, Shaw, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), White, Whitson, Windle, Winningham -- 30.

Representatives voting no were: Baird, Beavers, Black, Bone, Boyer, Bunch, Buttry, Casada, Clem, Cole (Carter), Davidson, Davis (Washington), Dunn, Ford, Fowlkes, Garrett, Godsey, Goins, Hagood, Hargett, Harwell, Hood, Johnson, Kent, Kisber, McCord, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Overbey, Pleasant, Rinks, Roach, Rowland, Sargent, Scroggs, Sharp, Shepard, Tidwell, Todd, Vincent, Walker, West, Wood, Mr. Speaker Naifeh -- 49.

A motion to reconsider was tabled.

Rep. Brown moved that Amendment No. 10 be withdrawn, which motion prevailed.

Rep. Todd moved the previous question, which motion prevailed.

Rep. Kisber moved that **House Bill No. 2308**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	79
Noes	10

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Bone, Bowers, Boyer, Briley, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Curtiss, Davidson, Davis (Washington), DeBerry J, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Hagood, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Pinion, Pleasant, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 79.

Representatives voting no were: Beavers, Black, Buck, Casada, Clem, Goins, Hargett, Rowland, Stanley, Towns -- 10.

A motion to reconsider was tabled.

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House Bill No. 2303 -- Bond Issues - Authorizes issuance of bonded indebtedness for state government, by *Kisber. (*SB2343 by *Kyle)

Rep. Kisber moved that House Bill No. 2303 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2303 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. The State of Tennessee, acting by resolutions of its funding board, is hereby authorized and empowered to issue and sell direct general obligation interest-bearing bonds of the State of Tennessee in amounts not to exceed one hundred twenty-seven million, two hundred sixty-five thousand dollars (\$127,265,000) to effectuate the purposes specified in Section 4 of this act. Further, the funding board is authorized to sell bonds in amounts not to exceed 2.5% of the amounts specified above and authorized in Section 4, for the purpose of funding discount and costs of issuance. Such bonds may be issued and sold in one (1) block or in several installments and separately or together with other general obligation bonds of the State of Tennessee as the board may determine, after advertisement as provided by law.

SECTION 2. The bonds and the interest-bearing coupons attached thereto, if any, shall be in such form, mature at such time or times within twenty (20) years from the date of their issuance, be executed in such manner, be payable at such place or places both as to principal and interest, and be in such denomination and bear such rate of interest, payable in such manner, as the funding board shall by resolution direct; provided, however, that the maximum rate determined by the funding board in no instance shall exceed the legal rate as provided in Section 47-14-103 of the Tennessee Code Annotated. The bonds shall be sold by the funding board after advertisement as provided by law, together with the accrued interest thereon, and when they have been sold, the proceeds derived from the sale thereof shall be paid to the state treasurer to be disbursed by the treasurer and other fiscal officers and agencies of the state as provided by the general law and this act. The bonds and interest payable thereon shall be exempt from taxation by the State of Tennessee or by any county, municipality or taxing district of the state except inheritance, transfer and estate taxes.

SECTION 3. When the bonds are so issued and sold, they shall be direct general obligations of the State of Tennessee for the payment of which well and truly to be made according to the tenor, effect and terms thereof the full faith and credit of the state together with its taxing power, shall irrevocably be pledged; and the bonds as authorized herein shall be issued agreeable to the terms of Title 9, Chapter 9, Tennessee Code Annotated; and they shall be financed, retired, and paid both as to principal and interest as provided in that chapter and shall be subject to the terms and conditions therein and herein contained. When the bonds are sold and proceeds paid over to the state treasurer, the funds shall be paid out by the treasurer and the proper fiscal officers of the state, as provided by general law, but only on order of the proper administrative authorities of the agency or department herein named for the benefit of which such bonds have been authorized and only to the extent such bonds have in fact been issued for the benefit of such agency or department.

SECTION 4. The proceeds of any and all issues of bonds herein authorized shall be allocated to the following departments:

(1) Department of Finance and Administration in the amount of forty-seven million, one hundred sixty-five thousand dollars (\$47,165,000) and expended for the purpose of acquisition of equipment, and erection, construction and equipment of sites and buildings, expressly including the acquisition of existing structures for expansion, improvement, betterments and extraordinary repairs to existing structure, and further expressly providing for the making of a grant to a governmental entity or not-for-profit organization located in the City of Spencer, if such grant is identified in the Governor's budget, including the budget overview, for the fiscal year 2002-2003 and approved by the State Building Commission. Such grant so identified and approved is determined to be for a public purpose.

(2) Department of Finance and Administration in the amount of three million, one hundred thousand dollars (\$3,100,000) for the state office buildings and support facilities revolving fund to be allocated and expended for the purpose of acquisition of equipment, and erection, construction and equipment of sites and buildings, expressly including the acquisition of existing structures for expansion, improvement, betterments and extraordinary repairs to existing structures.

(3) Department of Transportation in the amount of seventy-seven million dollars (\$77,000,000) and expended for the construction of highways and for the purpose of acquisition of equipment, and erection, construction and equipment of sites and buildings, expressly including the acquisition of existing structures for expansion, improvement, betterments and extraordinary repairs to existing structures.

In its discretion the funding board is authorized to issue bonds in amounts not to exceed 2.5% of the amounts specified above, the proceeds of which are to be allocated to the funding board and expended for the purpose of funding discount and the costs of issuance.

SECTION 5. The proper authorities heretofore enumerated and charged with the duty of expending the funds shall have authority to proceed with the projects authorized herein and for that purpose may hire an architect or architects, advertise for low bids and award contracts to low bidders, all within the provisions of the general law, expressly including the provisions of Title 4, Chapter 15, Tennessee Code Annotated, and in agreement with the terms of this act. No contract, including a contract for architectural services, involving a project authorized by this act which is subject to the approval of the state building commission shall be entered into unless and until that contract shall have been approved by the building commission.

SECTION 6. The appropriation made to each agency or department as provided in Section 4 may be applied as determined by the funding board to bear its appropriate portion of discount and costs of issuance.

SECTION 7. Pending the issuance of the definite bonds authorized by this act, the State of Tennessee, acting by resolutions of its funding board, is hereby authorized and empowered to issue and sell, either at public or private sale, together with accrued interest thereon, its interest-bearing bond anticipation note or notes. Such note or notes shall be authorized by resolution of the funding board, shall bear such date or dates, as such resolution or resolutions provide. The note or notes shall bear interest at such rate or rates, be in such denominations, be in such form, be executed in such manner, be payable in such medium of payment, at such place or places and mature on such date(s), subject to such terms and conditions as such resolution or resolutions may provide. In its discretion, the funding board may provide that a bond anticipation note or any renewal of such note may mature more than five (5) years from the date of issue of the original note; provided, that an amortization schedule of repayment of principal is established for the project funded by the note and provisions are made such that any note or renewal note or bond refunding such note attributed to the financing of such project shall be redeemed or retired either twenty-five (25) years from the date of issue of such original note or twenty (20) years from the date the project is completed and placed in full service, whichever is earlier. Provisions of general law with respect to authentication, execution and registration of general obligation bonds of the State of Tennessee shall also apply to the notes to the extent applicable. The note or notes and the interest payable thereon shall be exempt from taxation by the State of Tennessee or by any county, municipality or taxing district of the state except inheritance, transfer and estate taxes. Any resolution or resolutions of the funding board authorizing the issuance of such bond anticipation note or notes shall provide that the same are issued in anticipation of the bonds authorized hereunder and shall further provide that the full faith and credit of the State of Tennessee are pledged to the payment thereof.

SECTION 8. No bonds shall be issued under the authority of this act until such time as the general assembly has appropriated sufficient funds to pay the first year's obligation of principal and interest on the amount of bonds to be issued and the state funding board has determined that such funds are available.

SECTION 9. Notwithstanding any other provision of this act to the contrary, the bonds and bond anticipation notes authorized by this act may be designated "college savings bonds" and be issued pursuant to the provisions of the Baccalaureate Education Savings for Tennessee Act, Chapter 190, Public Acts of 1989.

SECTION 10. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 11. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Stanley moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Kisber moved that **House Bill No. 2303**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Pinion, Pleasant, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

RECESS MOTION

On motion, the House stood in a brief recess.

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**MESSAGE FROM THE SENATE
July 3, 2002**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2412.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 3.

The Speaker appointed a Conference Committee composed of Senators Norris, Cohen and Rochelle to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 2412.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM SENATE
July 3, 2002**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2789, as requested.

RUSSELL A. HUMPHREY, Chief Clerk.

**ENGROSSED BILLS
July 3, 2002**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2303 and 2308.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
July 3, 2002**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2303; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE
July 3, 2002**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2308; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

ROLL CALL DISPENSED WITH

On motion of Rep. Davidson, the roll call was dispensed with.

HOUSE ACTION ON SENATE MESSAGE

MOTION TO RECONSIDER

Rep. Fitzhugh moved to lift from the table the motion to reconsider action in refusing to recede from nonconcurring in Senate Amendment(s) No(s). 1 and 2 to House Bill No. 2789, and the motion to appoint a Conference Committee, which motion prevailed.

***House Bill No. 2789** -- Budget Procedures - Requires comparison of projected state tax revenue and proposed expenditure of state tax revenue to be included in budget proposal, as well as 10-year historical data on state tax revenue and expenditures. Amends TCA Title 4, Chapter 3 and Title 9, Chapter 4. by *Fitzhugh, *McMillan, *Naifeh, *DeBerry L, *Scroggs, *McDaniel, *White, *Maddox, *Sands, *Bone, *Briley, *Lewis, *Kisber, *Hood, *Shepard, *Bowers, *Brooks, *Kent, *Newton, *Brown, *Pinion, *Head, *Bittle, *Wood, *Givens, *Cole (Carter), *Chumney, *Curtiss, *Phelan, *Fowlkes, *Vincent, *Montgomery, *Hagood, *Turner (Hamilton), *Ridgeway, *Todd, *Hargett, *Pleasant, *Sharp, *Jones U (Shelby), *Dunn, *Buttry, *Sargent, *Davis (Washington), *Black, *Beavers, *Stanley, *Rowland, *Bunch, *Goins, *Tindell, *Fraleigh, *Walker, *Pruitt, *Jones, S.. (SB2919 by *Clabough, *Haun, *Crowe, *Person, *Carter)

Rep. Fitzhugh moved to reconsider action in refusing to recede from nonconcurring in Senate Amendment(s) No(s). 1 and 2 to House Bill No. 2789 and the motion to appoint a Conference Committee, which motion prevailed.

Rep. Fitzhugh moved to withdraw the action to refuse to recede from nonconcurring in Senate Amendment(s) No(s). 1 and 2 to House Bill No. 2789 and the motion to appoint a Conference Committee, which motion prevailed.

Rep. Fitzhugh moved to lift from the table the motion to reconsider action in nonconcurring in Senate Amendment(s) No(s). 1 and 2 to House Bill No. 2789, which motion prevailed.

On motion, the House reconsidered its action in nonconcurring in Senate Amendment(s) No(s). 1 and 2.

Senate Amendment No. 1

AMEND House Bill No. 2789 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 9, Chapter 4, is amended by creating the following new, appropriately designated part:

9-4-5601. This part shall be known and may be cited as the "Tennessee Governmental Accountability Act of 2002."

9-4-5602. The general assembly finds and declares that accountability in program performance is vital to effective and efficient delivery of governmental services, and to maintain public confidence and trust in government. To maximize accountability, a system of strategic planning, performance-based budgeting, and performance audits should be implemented to measure the effectiveness and efficiency of governmental services. It is of paramount public importance that this system encourages full and candid participation by all agencies of state government. This system will generate information necessary for the public to be informed fully and for the general assembly to make meaningful decisions about the allocation of scarce resources in meeting vital needs.

9-4-5603. The strategic planning, performance-based budgeting, and performance review requirements of this part shall apply to all state departments, agencies, boards and commissions.

9-4-5604. For purposes of this part, the following terms shall have the following meaning unless the context requires otherwise:

(1) "Agency" or "state agency" means any unit of organization of the executive department, including any official, officer, department, board, commission, division, bureau, section, district, office, authority, committee, or council or any other unit of state government, however designated, including, without limitation, higher education. For purposes of this act, "agency" or "state agency" shall not include the governor's office, the judicial department, or the legislative department. For purposes of this act, "judicial department" means the court system, district attorneys general conference, district public defenders conference, and the office of post-conviction defender.

(2) "Baseline data" means indicators of a state agency's current performance level, pursuant to guidelines established by the commissioner of finance and administration.

(3) "Commissioner" means the commissioner of finance and administration.

(4) "Outcome" means an indicator of the actual impact or public benefit of a program.

(5) "Output" means the actual service or product delivered by a state agency.

(6) "Performance-based program budget" means a budget that incorporates program statements and performance measures.

(7) "Performance measure" means a quantitative or qualitative indicator used to assess state agency performance, including outcome and output indicators.

(8) "Program" means a set of activities undertaken in accordance with a plan of action organized to realize identifiable goals and objectives. Such program shall be a budget unit included in the budget document for which an appropriation is provided in the general appropriations act.

(9) "Standard" means the desired level of performance of a program, measured by outcome or output.

9-4-5605.

(a) It is the legislative intent that the requirements of the Tennessee Governmental Accountability Act of 2002 constitute a new approach to the budgeting, planning, and accountability process, rather than an addition to existing procedures.

(b) The comptroller of the treasury shall have authority to employ outside consultants and entities with expertise in governmental finance and performance review for the purpose of conducting performance reviews or otherwise fulfilling his duties under this part. The performance reviews required under this part may be conducted by a private entity selected by the comptroller subject to the competitive bidding requirements of title 4, chapter 12.

9-4-5606.

(a) The commissioner of finance and administration annually shall issue instructions for the development of performance measures and standards for each program for which a state agency will submit a budget request as provided by Section 9-4-5103(b).

(b) By July 1 each year, each state agency subject to performance-based budgeting is required to submit to the commissioner of finance and administration, in a form to be specified by the commissioner, a strategic plan and proposed performance measures and standards for each program for which a budget request must be submitted pursuant to Section 9-4-5103(b). Such state agencies shall also identify the outputs produced by each program, the outcomes resulting from each program, baseline data associated with each performance measure, and performance standards. Performance measures and standards shall be reviewed by the commissioner of finance and administration, revised as deemed necessary by the commissioner of finance and administration, and included in the budget request required by Section 9-4-5103(b). In reviewing budget requests and transmitting the budget document to the general assembly in accordance with Section 9-4-5105, the governor, with the assistance of the commissioner of finance and administration, may revise, add, or delete performance measures and standards as the governor may deem necessary.

(c) Notwithstanding the programs, performance measures, and standards recommended in the budget document submitted pursuant to Section 9-4-5105, the general assembly shall have final approval of all strategic plans, performance measures and standards through the appropriations act and shall have discretion in the appropriations act, consistent with otherwise applicable requirements of general law and the constitution of Tennessee, to increase, reduce, eliminate, or otherwise alter the appropriation to a state agency.

(d) Each state agency subject to performance-based budgeting shall submit to the commissioner of finance and administration any documentation required by the commissioner regarding the validity, reliability, and appropriateness of each performance measure and standard and regarding how the strategic plan and the performance measures are used in management decision-making and other agency processes.

(e)(1) Annually, at a time to be determined by the commissioner of finance and administration after the general appropriations act becomes law, state agencies may submit to the commissioner any adjustments to their performance measures and standards based on the amounts appropriated for each program by the general assembly. The commissioner of finance and administration shall report on the adjusted performance measures and standards to the chairmen of the senate and house finance, ways and means committees upon approval of the work program allotments required by Section 9-4-5110.

(2) At any time during the fiscal year in which a state agency, by restraining order, injunction, consent decree, settlement, or any final judgment of a court of competent jurisdiction, or by law or executive order, is required to modify its operations, or the state agency receives additional federal or other funding, the state agency may submit to the commissioner of finance and administration any necessary adjustments to its performance measures and standards.

(3) When such adjustment is made pursuant to subdivisions (1) and (2), all performance measures and standards, including any adjustments made, shall be submitted to and reviewed and revised as necessary by the commissioner of finance and administration. The commissioner shall maintain the official record of adjustments to the performance measures and standards and shall report such adjustments to the chairmen of the senate and house finance, ways and means committees.

(f) A state agency subject to performance-based budgeting shall not have the authority to amend or establish programs or performance measures but may propose a revision to the commissioner of finance and administration, who shall have authority to revise and approve programs and performance measures submitted pursuant to subdivisions (e)(1) and (e)(2) in connection with establishing original work program allotments and revisions thereto pursuant to Sections 9-4-5110 and 9-4-5112.

9-4-5607. The commissioner of finance and administration shall develop a schedule for including state agencies within performance-based budgeting and review, beginning with three (3) agencies selected for fiscal year 2004-2005. All agencies of state government shall be included in performance-based budgeting and review not later than fiscal year 2011-2012.

9-4-5608. (a) Beginning in fiscal year 2005-2006, for agencies included in performance-based budgeting, the commissioner of finance and administration shall at least annually, and more frequently if necessary, evaluate each state agency's compliance with its strategic plan and performance-based measures and shall report to the governor and the senate and house finance, ways and means committees concerning each agency's compliance with its strategic plan and performance-based measures. Such reports shall include comments from the state agency. Such reports shall be timely furnished, and updated if necessary, for use by the senate and house finance, ways and means committees in consideration of the appropriations act.

(b) The commissioner of finance and administration's report as to each state agency's compliance may contain recommendations to the governor and the senate and house finance, ways and means committees concerning the following nonexhaustive performance measure incentives or disincentives for potential inclusion in the appropriations bill:

(1) Incentives may include, but are not limited to:

(A) Additional flexibility in budget management;

(B) Additional flexibility in salary rate and position management, notwithstanding the provisions of Title 8, Chapter 23, or any other law to the contrary;

(C) Retention of up to fifty percent (50%) of unexpended and unencumbered balances of appropriations, excluding special categories and grants in aid, that may be used for non-recurring purposes including, but not limited to, lump-sum bonuses, employee training, or productivity enhancements, including technology and other improvements; and

(D) Additional funds to be used for, but not limited to, lump-sum bonuses, employee training, or productivity enhancements, including technology and other improvements.

(2) Disincentives may include, but are not limited to:

(A) Mandatory quarterly reports to the governor on the agency's progress in meeting performance standards;

(B) Mandatory quarterly appearances before the governor to report on the agency's progress in meeting performance standards;

(C) Elimination or restructuring of the program, which may include, but not be limited to, transfer of the program or outsourcing all or a portion of the program;

(D) Reduction of total positions for a program;

(E) Restriction on or reduction of the appropriation for the program; and

(F) Reduction of managerial salaries, notwithstanding the requirements of Title 8, Chapter 23, or any other law to the contrary.

9-4-5609.

(a) In the fiscal year beginning July 1, 2003, and each year thereafter, each state agency subject to performance-based budgeting (but a year before the schedule provided by Section 9-4-5607) shall prepare a strategic plan for delivering the services and achieving the objectives required of it under the laws of the state of Tennessee and any federal program in which the state of Tennessee participates. The strategic plan shall include, but not be limited to, the following matters:

(1) The statutory and constitutional objectives of the entity;

(2) Identification of the scope of services the entity is required to provide and the best means of providing such services;

(3) Identification of any optional services the entity may provide, resources permitting, and the best means of providing such services;

(4) Means of maximizing federal or other non-state sources of revenue;

(5) Means of avoiding unnecessary costs and expenditures;

(6) Means of addressing any change in objectives or services since the previous strategic plan;

(7) Obstacles to meeting objectives and delivering services;

(8) Means of overcoming such obstacles; and

(9) Future challenges and opportunities.

(b)(1)(A) Each state agency shall submit its draft plan to the agency head, who shall prepare a single comprehensive plan for the agency and transmit the plan to the commissioner of finance and administration for review, modification, and approval. The Tennessee higher education commission shall submit to the commissioner a single strategic plan for all higher education budgetary units, with the advice of the university of Tennessee, the state university and community college system, and the Tennessee student assistance corporation.

(B) The comptroller of the treasury, state treasurer, secretary of state, and attorney general shall prepare their plans separately.

(C) The administrative office of the courts shall prepare a plan on behalf of the court system. Such plan shall include the court system, the district attorneys general conference, the district public defenders conference, and the office of post-conviction defender.

(D) The joint legislative services committee shall prepare a plan on behalf of the legislative department.

(2) Each strategic plan shall be submitted to the general assembly and the governor not later than September 1 of each year and shall cover the fiscal year in effect as of the date of the report. Plans for the executive branch agencies, including higher education, shall be consolidated and submitted by the commissioner of finance and administration.

9-4-5610.

(a) Each state agency shall be subject to a performance review of its activities by the comptroller of the treasury.

(b) The performance review shall include such matters as the comptroller of the treasury deems appropriate related to the manner in which the entity is delivering its services and achieving its objectives, including but not limited to:

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(1) The efficient use of all state and federal resources and user fees;

(2) Additional non-state revenue or cost savings that the entity could achieve; and

(3) The extent to which the entity has achieved the objectives of its strategic plan.

(c) Each entity subject to a performance review shall cooperate fully with the comptroller of the treasury and shall timely provide all relevant documents and requested information. If any entity refuses to provide any requested documents or information, the comptroller shall include such refusal in its report, as well as the reasons given by the entity for not furnishing the documents or information.

9-4-5611. (a) Notwithstanding the provisions of subsection (c) of this section, to achieve full and candid participation in the planning and audit process, no strategic plan or performance review, or any information generated solely for or by any such plan or review, shall be admissible in any judicial proceeding or administrative hearing.

(b) Any documents or information referenced in any such plan or audit that exist independently of the planning and review process shall not be subject to the prohibition of subsection (a). The admissibility of such documents and information shall be determined in accordance with the rules of evidence and standards otherwise applicable to any such proceeding.

(c) Each strategic plan and performance review shall be a public record under the provisions of Title 10, Chapter 7.

9-4-5612. Not later than June 30, 2003, the director of the office of legislative administration shall develop and submit to the joint legislative services committee proposed instructions for the development of performance measures for the legislative department in accordance with the criteria established in Section 9-4-5103(b). The joint legislative services committee shall review such proposed instructions, may revise or amend the proposed instructions, and shall adopt final instructions for the development of such performance measures.

9-4-5613. Not later than June 30, 2003, the judicial department, acting through the administrative office of the courts, shall identify and submit to the general assembly a list of programs that the administrative office of the courts recommends could operate under a performance-based program budget under the criteria established in Section 9-4-5103(b). By January 1, 2004, the administrative office of the courts shall submit to the general assembly performance measures and standards for such programs. Notwithstanding any other provisions of this act, the general assembly, in consultation with the judicial branch, may develop statutory procedures for evaluating the effectiveness of such programs.

SECTION 2. Tennessee Code Annotated, Section 9-4-5103, is amended by designating the existing language as subsection (a) and by inserting the following new language as subsection (b):

(b) Any state agency subject to performance-based budgeting requirements under Title 9, Chapter 4, Part 56, shall include with its budget request the program performance measures and standards required by Section 9-4-5606. The following documentation shall accompany the budget request in a form to be prescribed by the commissioner of finance and administration:

(1) Identification of the customers, clients, and users of each program;

(2) The purpose of each program or the benefit derived by the customers, clients, and users of the program;

(3) Costs of each program;

(4) All sources of funding for each program, classified as appropriations from state revenues or reserves, specifying appropriations from dedicated taxes and fees, and departmental revenues by type, as determined by the commissioner of finance and administration;

(5) Information on fees collected and the adequacy of those fees in funding each program for which the fees are collected;

(6) An assessment of whether each program is conducive to performance-based budgeting; and

(7) An assessment of the time needed to develop meaningful performance measures for each program.

SECTION 3. Tennessee Code Annotated, Section 9-4-5106, is amended by inserting the following new language in subdivision (a)(3), as amended by Acts of 2002, Public Chapter 510, following the word and punctuation "chapter;":

it also shall include a performance-based program budget for all state agencies subject to performance-based budgeting, including program statements and performance measures;

SECTION 4. Tennessee Code Annotated, Section 9-4-5108, is amended by adding the following new subsection:

(e) Notwithstanding the provisions of any other law to the contrary, the appropriations bill may specify incentives or disincentives relative to performance-based budgeting.

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SECTION 5. Tennessee Code Annotated, Section 9-4-5102 is amended by deleting the words "zero-based" and inserting in lieu thereof the words "performance-based program".

SECTION 6. Tennessee Code Annotated, subsections 9-4-5106(b) and 9-4-5115(b) hereby are repealed.

SECTION 7. This act shall be null and void unless appropriations necessary to implement its provisions are made in each general appropriations act for fiscal years 2002-2003, 2003-2004, and any future years in which the requirements of this act are being extended to additional state agencies. The commissioner of finance and administration shall certify to the Tennessee Code Commission any fiscal year in which appropriations necessary to implement the provisions of this act are not made in the general appropriations act.

SECTION 8. No expenditure of public funds pursuant to this act shall be made in violation of the provisions of Title VI of the Civil Rights Act of 1964, as codified in 42 United States Code 2000(d).

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.

Senate Amendment No. 2

AMEND House Bill No. 2789 by amending Senate Finance, Ways and Means Committee Amendment No. 1 by inserting the following as a new section 2 and renumbering the existing section 2 and subsequent sections appropriately:

SECTION 2. Tennessee Code Annotated, Title 9, Chapter 4, is amended by adding the following new section:

9-4-5614. (a) There is hereby created the Tennessee governmental accountability commission, to be comprised of three ex officio members: the comptroller of the treasury, who shall be chairman; the executive director of the fiscal review committee, who shall be vice chairman; and the director of the office of legislative budget analysis, who shall be secretary of the commission. The members shall serve without additional compensation, except for travel expenses, to be provided in accordance with the applicable state travel regulations.

(b) The commission, at least annually, beginning in fiscal year 2005-2006, shall review the performance report submitted by the commissioner of finance and administration pursuant to section 9-4-5608. The commission, in writing, shall comment and may make recommendations to the senate and house finance, ways and means committees on the strategic plan and actual performance of agencies subject to performance-based budgeting in the previous fiscal year, on the reasonableness of performance measures and standards recommended in the budget document for those agencies subject to performance-based budgeting in the next future fiscal year, and on any other strategic plan and program performance matter the commission deems appropriate.

(c) The commission shall provide the comments required and recommendations authorized by subsection (b) in sufficient time for use by the senate and house finance, ways and means committees in considering the appropriations bill.

Rep. Fitzhugh moved that the House concur in Senate Amendment(s) No(s). 1 and 2 to **House Bill No. 2789**, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Pinion, Pleasant, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2308 -- Appropriations - Makes appropriations for operation of state government for fiscal year 2002-2003. by *Kisber. (*SB2344 by *Henry, *Kyle)

Senate Amendment No. 11

AMEND House Bill No. 2308 By adding the following new items at the end of Section 10:

Item _____. The appropriation to the Tennessee Wildlife Resources Agency for salary survey pay increase in reduced by \$600,000. It is the legislative intent to fund the survey at 60% of value.

Item _____. The department of commerce and insurance is authorized to create and fill six (6) positions in building codes enforcement. Funding for any other improvement positions in building codes is deleted and the commissioner of insurance and administration is authorized to reduce totals accordingly.

Item _____. The department of commerce and insurance is authorized to create and fill two (2) positions in insurance regulation. Funding for any other improvement positions in insurance regulation is eliminated. The commissioner of finance and administration is authorized to reduce totals accordingly.

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Item _____. The appropriation made to the Department of Safety by the provisions of this act for the commissioned officers salary survey is reduced by \$623,600. It is the legislative intent that the survey be funded at 60% of value.

12: AND FURTHER AMEND by adding the following new items at the end of Section

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$400,000 for the purpose of funding the tax study commission authorized by Senate Bill 3110/House Bill 3046, and the sum of \$1,900,000 to the Department of Revenue for the purpose of performing its duties under Senate Bill 3110/House Bill 3046.

Rep. Kisber moved that the House concur in Senate Amendment(s) No(s). 11 to **House Bill No. 2308**, which motion prevailed by the following vote:

Ayes79
Noes9

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargrove, Head, Hood, Johnson, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Pinion, Pleasant, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 79.

Representatives voting no were: Beavers, Black, Buck, Casada, Clem, Hargett, Rowland, Stanley, Towns -- 9.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 1494 -- Campaigns and Campaign Finance - Expresses intent of general assembly that campaign finance system be reformed to promote increased voter confidence and participation; directs registry of election finance to study issue and to provide recommendations to general assembly. Amends TCA Title 2; Title 3 and Title 8. by *Cooper J. (*HB674 by *Kisber, *McMillan)

Rep. McMillan moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 3, 4 and 5 to **Senate Bill No. 1494**, which motion prevailed.

HOUSE ACTION ON SENATE MESSAGE

***Senate Bill No. 2412** -- Planning, Public - Requires planning commissioners, professional planners, planning commission members, board of zoning appeals members, building commissioners, and other officials who advise planning commission or board of zoning appeals to attend training and continuing education. Amends TCA Title 13, Chapter 3; Title 13, Chapter 4 and Title 13, Chapter 7. by *Norris. (HB2434 by *Todd)

Rep. Todd moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 3 to **Senate Bill No. 2412**, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED
ON SENATE BILL NO. 2412**

Pursuant to **Rule No. 73**, Representative Todd moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 2412, which motion prevailed.

The Speaker appointed Representatives Todd, Sargent and Rinks as the House members of the Conference Committee on Senate Bill No. 2412.

HOUSE ACTION ON SENATE MESSAGE

***Senate Bill No. 1303** -- Motor Vehicles, Titling and Registration - Authorizes issuance of I Love TDOT cultural license plates. Amends TCA Title 54 and Title 55. by *Haun, *Herron, *Cohen. (HB1893 by *Head, *Patton, *Langster, *McDaniel, *Brown)

**CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 1303**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 1303 (House Bill No. 1893) has met and recommends that all House and Senate amendments be deleted.

The Committee further recommends that the following amendment be adopted:

By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-201(b), is amended by deleting subdivision (2) in its entirety and by substituting instead the following:

(2) An additional fee of twenty-five dollars (\$25.00) to be paid by the applicant upon issuance and renewal, except as specifically provided otherwise by § 55-4-203 or any other applicable provision of this part; provided that such fee shall be thirty-five dollars (\$35.00) for all cultural, specialty earmarked and new specialty earmarked license plates issued and renewed, or renewable, on or after September 1, 2002.

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SECTION 2. Tennessee Code Annotated, Section 55-4-203, is amended by deleting subsection (d) in its entirety and by substituting instead the following:

(d) All other cultural, specialty earmarked and new specialty earmarked plates authorized by this part shall be issued upon the payment of a fee of twenty-five dollars (\$25.00) in addition to the regular registration fee; provided that such fee shall be thirty-five dollars (\$35.00) for all such plates issued on or after September 1, 2002, in accordance with the provisions of § 55-4-201(b)(2).

SECTION 3. Tennessee Code Annotated, Section 55-4-201, is amended by adding the following language as new, appropriately designated subsections:

(h)(1) Notwithstanding any provision of this part to the contrary, any cultural or new specialty earmarked license plate authorized by statute after on or after July 1, 2002, shall be subject to a minimum order of at least one thousand (1,000) plates prior to initial issuance. The provisions of this subdivision shall apply equally to the renewal of any cultural or new specialty earmarked plate initially issued on or after July 1, 2002. Any such plate that does not meet the minimum order requirements of this subdivision within one (1) year of the effective date of the act authorizing such plate, or does not meet the renewal requirements for any two (2) successive renewal periods thereafter, shall not be issued, reissued or renewed and shall be deemed obsolete and invalid. The commissioner shall annually notify the executive secretary of the Tennessee code commission of the sections of Tennessee Code Annotated authorizing the issuance of plates deemed obsolete and invalid pursuant to the provisions of this subdivision.

(2) The provisions of subdivision (1) shall not apply to collegiate plates otherwise administered pursuant to the provisions of this part; provided that on and after July 1, 2002, collegiate plates for four-year colleges or universities located outside Tennessee shall be subject to a minimum order of at least one thousand (1,000) plates prior to initial issuance by the department. The provisions of this subdivision shall apply equally to the renewal of any collegiate plates for four-year colleges or universities located outside Tennessee initially issued by the department on or after July 1, 2002. Any such plate that does not meet the minimum order requirements of this subdivision or does not meet the renewal requirements for any two (2) successive renewal periods, shall not be administratively issued, reissued or renewed by the department and shall be deemed obsolete and invalid.

(3)(A) Notwithstanding any provision of this part to the contrary, between July 1, 2002 and August 31, 2002, any cultural license plate authorized by § 55-4-264 shall be subject to a minimum order of at least two hundred fifty (250) plates prior to initial issuance. The provisions of subdivision (3)(A) shall apply equally to the renewal of any cultural license plate authorized by § 55-4-264 and initially issued between July 1, 2002 and August 31, 2002. Any such plate that does not meet the minimum order requirements of subdivision (3)(A) or does not meet the renewal requirements for any two (2) successive renewal periods, shall not be administratively issued, reissued or renewed by the department and shall be deemed obsolete and invalid.

(B) On or after September 1, 2002, any cultural license plate authorized by § 55-4-264 shall be subject to a minimum order of at least one thousand (1,000) plates prior to initial issuance. The provisions of subdivision (3)(B) shall apply equally to the renewal of any cultural license plate authorized by § 55-4-264 and initially issued on or after September 1, 2002. Any such plate that does not meet the minimum order requirements of subdivision (3)(B) or does not meet the renewal requirements for any two (2) successive renewal periods, shall not be administratively issued, reissued or renewed by the department and shall be deemed obsolete and invalid.

(i) The comptroller of the treasury shall conduct a performance audit of the department of safety's policies, procedures and directives as to the administration of Tennessee Code Annotated, title 55, chapter 4, part 2, relative to special license plates. Such audit shall include, but shall not be limited to, an analysis of the fees collected versus the costs of manufacturing, issuing and administering such special license plates, and an examination of the associated costs of special license plates, including the costs of county clerks in storage, handling and issuance of such special license plates. The office of the comptroller of the treasury shall report its findings and recommendations to the transportation committee of the senate and to the transportation committee of the house of representatives on or before February 5, 2003.

(j) All funds produced from the sale or renewal of cultural, specialty earmarked and new specialty earmarked license plates shall be used exclusively in Tennessee to support departments, agencies, charities, programs and other activities impacting Tennessee, as authorized pursuant to the provisions of this part.

SECTION 4. Tennessee Code Annotated, Section 55-4-202(c)(5)(U), is amended by adding the following as new subdivisions (xi) and (xii):

(xi) Silver Star recipients;

(xii) Bronze Star recipients;

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SECTION 5. Tennessee Code Annotated, Section 55-4-203(c), is amended by deleting the word "and" at the end of subdivision (9); by deleting the period (.) at the end of subdivision (10) and by substituting instead a semicolon (;); and by adding the following as new subdivisions (11) and (12):

(11) Silver Star recipients; and

(12) Bronze Star recipients.

SECTION 6. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2__ (a) A recipient of the Silver Star or a recipient of the Bronze Star who is a resident of this state and who is an owner or lessee of a motor vehicle, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and upon paying the regular fee applicable to the motor vehicle and the fee provided in § 55-4-203, shall be issued a distinctive Silver Star or Bronze Star motor vehicle registration plate, as appropriate, for a motor vehicle authorized by § 55-4-210(c).

(b)(1) The Silver Star plates provided for in this section shall include an identification legend distinctive to recipients of the Silver Star. The legend shall read "Silver Star". The registration number of the plate shall include the letters "SS" and a unique identifying number.

(2) The Bronze Star plates provided for in this section shall include an identification legend distinctive to recipients of the Bronze Star. The legend shall read "Bronze Star". The registration number of the plate shall include the letters "BS" and a unique identifying number.

(c) Eligibility for Silver Star plates and Bronze Star plates shall be determined by the department of safety by consulting the appropriate information on the DD214 form (or in a case of military service predating 1950, in consultation with appropriate information on the equivalent form or on other official documentation) or a written communication from the department of veterans affairs, such form, documentation or communication certifying that the application for such plate is submitted by a recipient of the Silver Star or a recipient of the Bronze Star, as appropriate.

SECTION 7. Tennessee Code Annotated, Section 55-4-202(c)(5), is amended by adding the following as a new, appropriately designated subdivision:

(_) Technology;

SECTION 8. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

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Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the state of Tennessee upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle, and the fee provided for in § 55-4-203, shall be issued a Technology cultural license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The cultural license plates provided for in this section shall contain an appropriate logo or design embodying technology in Tennessee and shall be designed in consultation with a designee of the Nashville Linux Users Group.

(c) The funds produced from the sale of such Technology cultural license plates shall be allocated in accordance with § 55-4-216.

SECTION 9. Tennessee Code Annotated, Section 55-4-202(c)(5), is amended by adding the following as a new subdivision:

(_) Share the Road;

SECTION 10. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the state of Tennessee upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle, and the fee provided for in § 55-4-203, shall be issued a Share the Road cultural license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The cultural license plates provided for in this section shall contain an appropriate logo or design and shall include the phrase "Share the Road". Such plates shall be designed in consultation with the president of the Harpeth Bicycle Club. Prior to submitting the design of such plates, the president of the Harpeth Bicycle Club shall solicit design ideas from other on-road bicycle clubs located in the state of Tennessee.

(c) The funds produced from the sale of such Share the Road cultural license plates shall be allocated in accordance with § 55-4-216.

SECTION 11. Tennessee Code Annotated, Section 55-4-202(c)(5), is amended by adding the following as a new, appropriately designated subdivision:

(_) Harley Owner's Group (HOG);

SECTION 12. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2 __. (a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Harley Owner's Group (HOG) cultural license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The cultural plates provided for in this section shall bear the logo or other distinctive emblem of the Harley Owner's Group (HOG) and shall include the language "HOG" in an appropriate design. Such plates shall be designed in consultation with the President of the Harley Owner's Group (HOG).

(c) The funds produced from the sale of such Harley Owner's Group cultural license plates shall be allocated in accordance with § 55-4-216.

SECTION 13. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) Tennessee State Guard;

SECTION 14. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2 __. (a) Owners or lessees of motor vehicles who are residents of the State of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided in § 55-4-203, shall be issued a Tennessee State Guard new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the official seal of the Tennessee State Guard and shall bear the language "TENNESSEE STATE GUARD" in an appropriate design. Such plates shall be designed in consultation with the commanding officer of the Tennessee State Guard.

(c)(1) The funds produced from the sale of such Tennessee State Guard new specialty earmarked license plates shall be allocated to the Tennessee State Guard, established by title 58, chapter 1, part 4, in accordance with the provisions of § 55-4-215. Such funds shall be used exclusively to further the statutory mission of the Tennessee State Guard.

(2) Such funds may only be expended to fund activities authorized by this section. Any funds allocated to the Tennessee State Guard pursuant to this section shall remain in reserve until expended for purposes consistent with the section, and shall not revert to the general fund on any June 30. Any interest earned on moneys allocated to the Tennessee State Guard pursuant to this section shall not revert to the general fund on any June 30, but shall remain available for expenditure in subsequent fiscal years.

SECTION 15. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) Memphis Zoo;

SECTION 16. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the State of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in §55-4-203, shall be issued a Memphis Zoo new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain an appropriate logo or design representative of the Memphis Zoo. Such plates shall be designed in consultation with the president and board of directors of the Memphis Zoological Society.

(c) The funds produced from the sale of Memphis Zoo new specialty earmarked license plates shall be allocated to the Memphis Zoological Society in accordance with the provisions of § 55-4-215. Such funds shall be used exclusively for the acquisition of a breeding pair of Giant Pandas and for other zoological and educational purposes.

SECTION 17. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) Civil Rights;

SECTION 18. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the State of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a civil rights new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

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(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with the board of directors of the National Civil Rights Museum in Memphis, Tennessee.

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated to the National Civil Rights Museum in Memphis, Tennessee, in accordance with § 55-4-215. Such funds shall be used exclusively for educational purposes.

SECTION 19. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) Title VI;

SECTION 20. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the State of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Title VI new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with the Tennessee Title VI Compliance Commission.

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated to the Tennessee Title VI Compliance Commission in accordance with § 55-4-215. Such funds shall be used exclusively in furtherance of the commission's mission.

SECTION 21.

(a) Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) Sons of Confederate Veterans;

(b) Notwithstanding any provision of this act to the contrary, this section shall take effect July 1, 2002, the public welfare requiring it.

SECTION 22.

(a) Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2__.

(a) Owners or lessees of motor vehicles who are residents of the State of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Sons of Confederate Veterans new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be of the colors and contain the logo of the Sons of Confederate Veterans. Such plates shall be designed in consultation with the commander of the Tennessee Division of the Sons of Confederate Veterans.

(c) The funds produced from the sale of Sons of Confederate Veterans new specialty earmarked license plates shall be allocated to the Tennessee Division of Sons of Confederate Veterans in accordance with the provisions of § 55-4-215.

SECTION 23. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) Kiwanis International;

SECTION 24. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2__.

(a) Owners or lessees of motor vehicles who are residents of the State of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in §55-4-203, shall be issued a Kiwanis International new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the logo or other appropriate design representative of Kiwanis International. Such plates shall be designed in consultation with a Tennessee representative of Kiwanis International.

(c) The funds produced from the sale of Kiwanis International new specialty earmarked license plates shall be allocated to Kiwanis International in accordance with the provisions of § 55-4-215. Such funds shall be used exclusively to fund activities and programs of Kiwanis International's Worldwide Service Project.

SECTION 25. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

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() Memphis Redbirds;

SECTION 26. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2 __. (a) Owners or lessees of motor vehicles who are residents of the State of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Memphis Redbirds new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the official logo or logos of the Memphis Redbirds baseball club. Such plates shall be designed in consultation and with the approval of the president of the Memphis Redbirds baseball club.

(c) The funds produced from the sale of Memphis Redbirds new specialty earmarked license plates shall be allocated to the nonprofit Memphis Redbirds Foundation in accordance with the provisions of § 55-4-215. Such funds shall be used exclusively for the Memphis Redbirds' STRIPES ("Sports Teams Returning In the Public Education System") program which has renewed and supports middle school baseball in Memphis.

SECTION 27. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() East Tennessee Children's Hospital;

SECTION 28. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2 __. (a) Owners or lessees of motor vehicles who are residents of the State of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued an East Tennessee Children's Hospital new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall bear an appropriate design and shall be designed in consultation with the chairperson of the board of the East Tennessee Children's Hospital.

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated to the East Tennessee Children's Hospital in accordance with § 55-4-215.

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SECTION 29. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Tennessee Titans;

SECTION 30. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the State of Tennessee upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Tennessee Titans new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall bear the official colors and logo of the Tennessee Titans National Football League (NFL) team and shall include the language "TITANS" in an appropriate design. The design of the plates shall be subject to the approval of the Tennessee Titans and the NFL, and shall additionally afford such trademark protection as the Tennessee Titans and the NFL shall require as otherwise permitted by law.

(c) In accordance with § 55-4-215, the funds produced from the sale of such Tennessee Titans new specialty earmarked license plates shall be allocated to the Tennessee Titans Foundation to be distributed in equal shares to the following organizations within thirty (30) days of allocation in the name of the Tennessee Titans Foundation and the state of Tennessee from the sale of specialty license plates:

- (1) Camp Discovery;
- (2) Jason Foundation;
- (3) Boy Scouts of Tennessee;
- (4) Girl Scouts of Tennessee;
- (5) Boys & Girls Club of Tennessee;
- (6) St. Jude's Children's Research Hospital;
- (7) Vanderbilt Children's Hospital;
- (8) Baptist Hospital Maternity/Birthing Center;
- (9) Tennessee State University Scholarship Fund; and
- (10) Fisk University Scholarship Fund.

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SECTION 31. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Memphis Grizzlies;

SECTION 32. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the State of Tennessee upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Memphis Grizzlies new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall bear the official colors and logo of the Memphis Grizzlies National Basketball Association (NBA) team and shall include the language "Grizzlies" in an appropriate design. The design of the plates shall be subject to the approval of the Memphis Grizzlies and the NBA, and shall additionally afford such trademark protection as the Memphis Grizzlies and the NBA shall require as otherwise permitted by law.

(c) In accordance with § 55-4-215, the funds produced from the sale of such Memphis Grizzlies new specialty earmarked license plates shall be allocated to the Memphis Grizzlies Foundation to be distributed in equal shares to the following organizations within thirty (30) days of allocation in the name of the Grizzlies Foundation and the State of Tennessee from the sale of specialty license plates:

- (1) Grizzlies Bridges;
- (2) Camp Discovery;
- (3) Memphis College of Art Scholarship Fund;
- (4) St. Jude's Children's Research Hospital;
- (5) National Civil Rights Museum; and
- (6) Memphis Zoo.

SECTION 33. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Nashville Predators;

SECTION 34. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 55-4-2 __. (a) Owners or lessees of motor vehicles who are residents of the State of Tennessee upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Nashville Predators new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall bear the official colors and logo of the Nashville Predators National Hockey League (NHL) team and shall include the language "Predators" in an appropriate design. The design of the plates shall be subject to the approval of the Nashville Predators and the NHL, and shall additionally afford such trademark protection as the Nashville Predators and the NHL shall require as otherwise permitted by law.

(c) In accordance with § 55-4-215, the funds produced from the sale of such Nashville Predators new specialty earmarked license plates shall be allocated to the Predators Foundation to be distributed in equal shares to the following organizations within thirty (30) days of allocation in the name of the Predators Foundation and the State of Tennessee from the sale of specialty license plates:

- (1) Tennessee Sled Hockey Association;
- (2) PENCIL Foundation;
- (3) Camp Discovery;
- (4) Nashville Humane Society;
- (5) Vanderbilt Children's Hospital; and
- (6) Nashville Zoo.

SECTION 35. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) Proud To Be An American;

SECTION 36. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 55-4-2 __. (a)(1) Owners or lessees of motor vehicles who are residents of the State of Tennessee upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a "Proud To Be An American" new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(2) The dual purpose of the plates provided for in this section is to express the patriotism, spirit and resolve of Tennesseans in the wake of the terrorist attacks of September 11, 2001, and to allow Tennesseans to voluntarily contribute to local school systems and local schools that are struggling to attain student performance standards mandated by state law.

(b) The new specialty earmarked plates provided for in this section shall be produced upon a background of an American flag and shall include the phrase "Proud To Be An American".

(c)(1) The funds produced from the sale of such "Proud To Be An American" new specialty earmarked license plates shall be allocated in accordance with the provisions of § 55-4-215.

(2) All funds allocated pursuant to § 55-4-215(a)(1), shall be distributed to school systems and schools that have failed to attain the student performance standards mandated by Title 49, Chapter 1, Part 6, and have been placed on probation pursuant to § 49-1-602. Such funds shall be distributed to such school systems and schools in accordance with a formula to be developed by the state board of education.

(d) Any funds received pursuant to this section shall not result in any reduction in appropriations otherwise made to local school systems or local schools.

(e) The state board of education is authorized to promulgate rules and regulations to establish a formula for the equitable distribution of funds to school systems and schools from the funds produced from the sale of the new specialty earmarked license plates authorized by this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, title 4, chapter 5.

SECTION 37. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) United For America;

SECTION 38. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the State of Tennessee upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a United For America new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall be produced upon a background of a waving American flag and shall include phrases substantially similar to "Volunteer State" and "United For America". Such plates shall be designed in consultation with the chairpersons of the house and senate transportation committees and the director of the Tennessee emergency management agency.

(c) The funds produced from the sale of such United For America new specialty earmarked license plates shall be allocated to the Tennessee emergency management agency, created by § 58-2-103, for purposes of disaster planning and emergency preparedness in accordance with § 55-4-215.

(d) Any funds received pursuant to this section shall not result in any reduction in appropriations otherwise made to the Tennessee emergency management agency.

SECTION 39. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) Eagle Foundation;

SECTION 40. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the state of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued an Eagle Foundation new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the official logo of the Eagle Foundation and/or a representation of the American bald eagle. Such plates shall be designed in consultation with the board of directors of the Eagle Foundation.

(c) The funds produced from the sale of such Eagle Foundation new specialty earmarked license plates shall be allocated to the Eagle Foundation in accordance with the provisions of § 55-4-215. Such funds shall be used exclusively for the preservation of the American bald eagle and its habitat.

SECTION 41. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) Memphis and Shelby County Humane Society;

SECTION 42. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

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Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the state of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Memphis and Shelby County Humane Society new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain an appropriate logo and design representative of the humane society and shall be designed in consultation with Memphis and Shelby County Humane Society.

(c) In accordance with § 55-4-215, the funds produced from the sale of such Memphis and Shelby County Humane Society new specialty earmarked license plates shall be allocated to the Memphis and Shelby County Humane Society for educational and operational programs.

SECTION 43. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated item:

(_) City of Oak Ridge;

SECTION 44. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 55-4-2__.

(a) Owners or lessees of motor vehicles who are residents of the State of Tennessee upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a City of Oak Ridge new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the official seal or other appropriate logo or design representative of the City of Oak Ridge and shall be designed in consultation with the city manager and city council of Oak Ridge.

(c) The funds produced from the sale of such City of Oak Ridge new specialty earmarked license plates shall be allocated to the Oak Ridge Public Schools Education Foundation in accordance with § 55-4-215. Such funds shall be used exclusively to provide additional funding for educational programs in grades K-12 in the Oak Ridge school system.

(d) Any funds received pursuant to this section shall not result in any reduction in appropriations otherwise made to local school systems or local schools.

SECTION 45. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

☐ Rocky Mountain Elk Foundation;

SECTION 46. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the state of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Rocky Mountain Elk Foundation new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the official logo of the Rocky Mountain Elk Foundation and/or a representation of the Rocky Mountain elk. Such plates shall be designed in consultation with the board of directors of the Rocky Mountain Elk Foundation.

(c) The funds produced from the sale of such Rocky Mountain Elk Foundation new specialty earmarked license plates shall be allocated to the Rocky Mountain Elk Foundation in accordance with the provisions of § 55-4-215. Such funds shall be used exclusively for the preservation of the Rocky Mountain elk and its habitat.

SECTION 47. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

☐ Friends of the Big South Fork National River and Recreation Area;

SECTION 48. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 55-4-2___. (a) An owner or lessee of a motor vehicle who is a resident of the State of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles, and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Friends of the Big South Fork National River and Recreation Area new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall be designed in consultation with a representative of Friends of the Big South Fork National River and Recreation Area, Inc.

(c) In accordance with § 55-4-215, the funds produced from the sale of such Friends of the Big South Fork National River and Recreation Area new specialty earmarked license plates shall be allocated to the Friends of the Big South Fork National River and Recreation Area, Inc. Such funds shall be used exclusively for the assistance of the National Park Service in the care of the Big South Fork National River and Recreation Area.

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SECTION 49. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Ruritan National;

SECTION 50. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2 __. (a) Owners or lessees of motor vehicles who are residents of the State of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Ruritan National new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the logo or other appropriate design representative of Ruritan National. Such plates shall be designed in consultation with the executive director of Ruritan National.

(c) The funds produced from the sale of Ruritan National new specialty earmarked license plates shall be allocated to the Ruritan National Foundation in accordance with the provisions of § 55-4-215. Such funds shall be used exclusively to fund the Ruritan National Foundation's student financial aid program and disaster relief program.

SECTION 51. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Vanderbilt Children's Hospital;

SECTION 52. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2 __. (a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Vanderbilt Children's Hospital new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The purpose of such plate is to recognize and support the many contributions to children's health care made by the Vanderbilt Children's Hospital.

(c) The plates provided for in this section shall bear an appropriate design or logo that represents the commitment to children's health care exhibited by the Vanderbilt Children's Hospital. The new specialty license plates provided for in this section shall be designed in consultation with the Vanderbilt University Board of Trust.

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(d) In accordance with the provisions of § 55-4-215, the funds produced from the sale of such Vanderbilt Children's Hospital new specialty earmarked license plates shall be allocated to the Vanderbilt Children's Hospital of Vanderbilt University.

SECTION 53. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Nashville Zoo at Grassmere;

SECTION 55. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the State of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Nashville Zoo at Grassmere new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the logo or other appropriate design representative of the Nashville Zoo at Grassmere. Such plates shall be designed in consultation with a representative of the Nashville Zoo at Grassmere.

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated to the Nashville Zoo at Grassmere in accordance with the provisions of § 55-4-215. Such funds shall be used exclusively for animal feeding and care, animal acquisitions, exhibit design and construction, and educational programs.

SECTION 56. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() State Parks;

SECTION 57. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the state of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a state park new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with the director of the Tennessee Recreation and Parks Association.

(c) In accordance with § 55-4-215, the funds produced from the sale of such new specialty earmarked license plates shall be allocated to the division of state parks in the department of environment and conservation to be used solely for the maintenance of hiking trails and non-developed natural areas and their support facilities within Tennessee's state parks.

SECTION 58. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Public Television;

SECTION 59. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the state of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a public television new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with the Tennessee Public Television Council.

(c) In accordance with § 55-4-215, the funds produced from the sale of such new specialty earmarked license plates shall be allocated to the Tennessee Public Television Council to be used solely for member station program support.

SECTION 60. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Retired Fire Fighters;

SECTION 61. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the state of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a retired fire fighters new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with a representative of the Memphis fire fighters association.

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(c) In accordance with § 55-4-215, the funds produced from the sale of such new specialty earmarked license plates shall be allocated to the Fire Museum of Memphis.

SECTION 62. Tennessee Code Annotated, Section 55-4-202(c)(5), is amended by adding the following as a new, appropriately designated subdivision:

() Tennessee Valley Authority 70th Anniversary;

SECTION 63. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of the state of Tennessee upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle, and the fee provided for in § 55-4-203, shall be issued a Tennessee Valley Authority 70th Anniversary cultural license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The cultural license plates provided for in this section may contain a phrase substantially similar to "TVA 70th Anniversary" with an appropriate design and shall be designed in consultation with the Tennessee Valley Authority.

(c) The funds produced from the sale of such Tennessee Valley Authority 70th Anniversary cultural license plates shall be allocated in accordance with § 55-4-216.

SECTION 64. Tennessee Code Annotated, Section 55-4-211(a), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) In addition to the personalized plates authorized by § 55-4-210, an applicant may, through the payment of a personalization fee of twenty-five dollars (\$25.00) in addition to the regular registration fee and the twenty-five dollar (\$25.00) fee established by § 55-4-201(b)(2), obtain certain cultural, specialty earmarked and new specialty earmarked plates with a personalized combination of numbers, letters, positions or a combination thereof; provided that the personalization fee and the fee established by § 55-4-201(b)(2) shall each be thirty-five dollars (\$35.00) for all such plates issued and renewed, or renewable, on or after September 1, 2002.

SECTION 65. The provisions of § 55-4-201(f) shall not apply to this act.

SECTION 66. The commissioner of safety is authorized to promulgate rules and regulations to effectuate the provisions of this act. All such rules and regulations shall be promulgated in accordance with the provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

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SECTION 67. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 68. This act shall take effect on upon becoming a law, the public welfare requiring it.

/s/	Senator Stephen Cohen	Representative Tommy Head
	Senator Jerry W. Cooper	Representative L. Don Ridgeway
	Senator Tommy Haun	Representative John White

Rep. Head moved that the Report of the Conference Committee on **Senate Bill No. 1303** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	80
Noes	6
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargrove, Harwell, Head, Hood, Johnson, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Overbey, Patton, Phelan, Pinion, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Davidson), Vincent, Walker, West, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 80.

Representatives voting no were: Beavers, Casada, Davis (Washington), Hargett, Mumpower, Turner (Shelby) -- 6.

Representatives present and not voting were: Bunch -- 1.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 145: Rep(s). L. DeBerry, Brooks, Bowers and Chumney as prime sponsor(s).

House Bill No. 2885: Rep(s). Buttry as prime sponsor(s).

House Bill No. 3202: Rep(s). Sands as first prime sponsor(s).

House Bill No. 3202: Rep(s). Scroggs as prime sponsor(s).

MESSAGE FROM THE SENATE

July 3, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 896; adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Joint Resolution No. 896 -- Memorials, Personal Achievement - Bryan T. Vaux, Eagle Scout. by *Kyle.

MESSAGE FROM THE SENATE

July 3, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3110; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

SIGNED

July 3, 2002

The Speaker signed the following: Senate Bill(s) No(s). 3110.

MESSAGE FROM THE SENATE

July 3, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2553; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Bill No. 2553** -- Tennessee Valley Authority - Increases allocation of TVA payments in lieu of taxes to advisory commission on intergovernmental relations from \$4,462 to \$4,750 per month. Amends TCA Section 67-9-102. by *Rochelle. (HB3182 by *Bone)

MESSAGE FROM THE GOVERNOR

July 3, 2002

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 572, 1266, 1416, 2613, 2651, 2996, 3276, 3278, 3284, 3285, 3286, 3289, 3290, 3293, 3294, 3296, also, House Joint Resolution(s) No(s). 1119; with his approval.

JAY BALLARD, Counsel to the Governor.

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MESSAGE FROM THE SENATE

July 3, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2985; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Bill No. 2985 -- Victims' Rights - Increases criminal injuries compensation limits; expands reimbursable expenses; allows claims for subsequent hearings. Amends TCA Title 29, Chapter 13, Part 1. by *Trail, *Cooper J, *Burks, *Person. (*HB3027 by *Kisber)

RECESS MOTION

On motion of Rep. Davidson, the House stood in recess until 10:00 a.m., Thursday, July 4, 2002.